

Panaji, 20th October, 2022 (Asvina 28, 1944)

SERIES II No. 29

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are three Extraordinary issues to the Official Gazette, Series II No. 28 dated 13-10-2022 as follows:—

- (1) *Extraordinary dated 14-10-2022 from pages 2339 to 2342 regarding Orders from Department of Home.*
- (2) *Extraordinary (No. 2) dated 18-10-2022 from pages 2343 to 2344 regarding Order from Goa State Election Commission.*
- (3) *Extraordinary (No. 3) dated 19-10-2022 from pages 2345 to 2346 regarding Order from Goa State Election Commission.*

GOVERNMENT OF GOA

Department of Archives

Directorate of Archives & Archaeology

Order

No. 1/3/2016/Bifurc-A&A/DAA-1456

1. Directorate of Archives and Archaeology was bifurcated by the Government vide approval in the XXXIXth Cabinet meeting held on 22-05-2013 into "Directorate of Archives" and "Directorate of Archaeology" but it was not notified.
2. In Xth Cabinet meeting held on 03-07-2017, Government amended the decision redesignating "Directorate of Archives" to "Department of Archives" and "Directorate of Archaeology" to "Department of Archaeology".
3. With the approval of High Level Empowered Committee vide Order No. 9/10/HLEC/2018-ARD-237 dated 16-08-2018 conveyed by the Department of Administrative Reforms, the sanctioned strength of Directorate of Archives and Archaeology notified in Official Gazette, Series I No. 25 dated 20-09-2018 is as shown in Annexure I.
4. The post of Dy. Director (Admin.), Archaeology Department was created with the approval of the Cabinet held on 04-08-2016 by circulation as conveyed by General Administration Department vide letter No. 1/31/2016-GAD-II dated 05-08-2016.
5. General Administration Department, Government of Goa notified the amended rules of the Business of the Government of Goa (Allocation) Rules, 1987, for Department of Archaeology and Department of Archives vide Notification No. 23/1/87-GA&C(Vol.II)/444 dated 06-01-2019.
6. Finance (Budget) Department has created Budget Head "87" for Department of Archaeology and Budget Head "45" has been allocated to Department of Archives.
7. Consequent upon creation of Department of Archives, the staff/posts indicated at Annexure "II", drawing their salary under the Budget Head "45" shall stand transferred from the Directorate of Archives and Archaeology to Department of Archives.
8. Consequent upon creation of Department of Archaeology, the staff/posts indicated at Annexure "III", drawing their salary under the Budget Head "87" shall stand transferred from the Directorate of Archives and Archaeology to Department of Archaeology.
9. The Ministerial Staff/posts indicated at Annexure "III", drawing their salary under the Budget Head "45" shall stand transferred from the Directorate of Archives and Archaeology to Department of Archaeology and the transferred staff shall be eligible for promotion/selection based upon their seniority for the higher posts of Administrative/Accounts section in the Department of Archaeology.
10. Director of Archives shall be the DDO for Department of Archives and Director of

- Archaeology shall be the DDO for Department of Archaeology.
11. Department of Archaeology shall function from the Head Office of Department of Archives till Department of Archaeology acquires new office premises.
12. The Non-Ministerial posts for administrative and financial matters shall be created by Department of Archaeology.
13. Smt. Gauri B. Gaude, LDC and Shri Gurudas Naik, Accounts Clerk of Account Section of Department of Archives shall be deployed to Department of Archaeology till the new posts in Accounts and Administration Section of Department of Archaeology is created.
14. Assets and Liabilities—The assets like furniture, cupboards, computers etc. may be transferred to Department of Archaeology after the notification of bifurcation.
15. Separate Orders shall be issued for the aspects not included in this Notification in respect of bifurcation of Directorate of Archives and Archaeology.
16. These Orders shall come into force from the date of issue.

By order and in the name of the Governor of Goa.

Menino D'Souza, IAS, Secretary (Archives and Archaeology).

Porvorim, 30th September, 2022.

ANNEXURE-I

With the approval of High Level Empowered Committee vide Order No. 9/10/HLEC/2018-ARD-237 dated 16-08-2018 by the Department of Administrative Reforms, the sanctioned strength of Directorate of Archives and Archaeology is as follows:-

Sr. No.	Designation of the post	Pay Scale	Sanctioned strength
1	2	3	4
Non-Ministerial (Non-Lapsable) Posts			
1.	Director	PB-3 Pay Matrix Level-12	1
2.	Dy. Director (Archives & Archaeology)	PB-3 Pay Matrix Level-10	1
3.	Archivist (General)	PB-2 Pay Matrix Level-7	1

4.	Archivist (Management)	PB-2 Pay Matrix Level-7	1
5.	Archivist (Publication)	PB-2 Pay Matrix Level-7	1
6.	Assistant Superintending Archaeologist	PB-2 Pay Matrix Level-7	1
7.	Scientific Officer	PB-2 Pay Matrix Level-7	1
8.	Librarian	PB-2 Pay Matrix Level-6	1
9.	Exploration Officer	PB-2 Pay Matrix Level-6	1
10.	Assistant Chemist	PB-2 Pay Matrix Level-6	1
11.	Assistant Archivist Grade I	PB-2 Pay Matrix Level-6	4
12.	Assistant Archivist Grade II	PB-2 Pay Matrix Level-5	7
13.	Information Officer	PB-2 Pay Matrix Level-6	1
14.	Assistant Programming Officer	PB-2 Pay Matrix Level-6	1
15.	Accountant	PB-2 Pay Matrix Level-6	1
16.	Exploration Assistant	PB-1 Pay Matrix Level-5	1
17.	Conservation Assistant	PB-1 Pay Matrix Level-5	1
18.	Transcriber of Records	PB-1 Pay Matrix Level-5	2
19.	Horticulture Assistant	PB-1 Pay Matrix Level-5	1
20.	Assistant Photographer	PB-1 Pay Matrix Level-5	1
21.	Photographer	PB-1 Pay Matrix Level-5	1
22.	Preservation Assistant	PB-1 Pay Matrix Level-5	1
23.	Assistant Librarian	PB-1 Pay Matrix Level-5	1
24.	Laboratory Assistant	PB-1 Pay Matrix Level-4	2
25.	Library Assistant	PB-1 Pay Matrix Level-4	2
Ministerial (Lapsable) Posts			
26.	Head Clerk	PB-2 Pay Matrix Level-6	1

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27.	Jr. Stenographer	PB-1 Pay Matrix Level-4	1	44.	Archaeology Attendant (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	2
28.	U.D.C.	PB-1 Pay Matrix Level-4	1	45.	Gardener (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	2
29.	Storekeeper	PB-1 Pay Matrix Level-4	1	46.	Peon (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	5
30.	Account Clerk	PB-1 Pay Matrix Level-4	1	47.	Sweeper	PB-1 Pay Matrix Level-1	3
31.	Record Clerk	PB-1 Pay Matrix Level-4	1	48.	Farash	PB-1 Pay Matrix Level-1	1
32.	L.D.C.	PB-1 Pay Matrix Level-2	17	49.	Watchman	PB-1 Pay Matrix Level-1	4
33.	Sorter	PB-1 Pay Matrix Level-2	13				
34.	Marathi Typist	PB-1 Pay Matrix Level-2	1	Total 145			
35.	Receptionist	PB-1 Pay Matrix Level-2	1	a. As per the recommendation and approval of the High Level Empowered Committee (H.L.E.C.), the following posts shall stand abolished upon superannuation/retirement of the incumbent or upon the posts falling vacant (for whatever reasons).			
36.	Sr. Binder (Foreman)	PB-1 Pay Matrix Level-2	1				
37.	Binder	PB-1 Pay Matrix Level-2	12				
38.	Driver	PB-1 Pay Matrix Level-2	3				
39.	Library Attendant (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	2				
40.	Attendant (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	5	Sr. No.	Designation of the Post Ministerial (Lapsable) Posts	Name of the official holding the post	
41.	Record Attendant (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	23	1.	2	3	
42.	Record Lifter (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	2	1.	Farash	Smt. Shali Gaunso.	
43.	Monument Attendant (Multi Tasking Staff)	PB-1 Pay Matrix Level-1	5	2.	Sweeper	Shri Dina Naik.	
				3.	Sweeper	Smt. Rajani Naik.	
				4.	Sweeper	Smt. Mumtaj Begaum Mehboobsab Sanji.	
				5.	Watchman	Shri Ramdas Kankonkar.	
				6.	Watchman	Shri Sitaram Divkar.	
				7.	Watchman	Shri Laxman Bhosle.	
				8.	Watchman	Vacant.	

ANNEXURE-II

List of the posts/staff to be transferred from Directorate of Archives and Archaeology to Department of Archives, Panaji-Goa.

Sr. No.	Name of the official	Designation	Gazetted/Non-Gazetted	Pay Scale
1	2	3	4	5
1.	—	Director	Gazetted	PB-3, Level-12
2.	—	Dy. Director	Gazetted	PB-3, Level-10
3.	Smt. Blossom Medeira	Archivist (General)	Gazetted	PB-2, Level-7
4.	Dr. Vasu M. Usapkar	Archivist (Management)	Gazetted	PB-2, Level-7

5.	Smt. Gayatri G. Ghatwal	Scientific Officer	Gazetted	PB-2, Level-7
6.	Shri Balaji S. Shenvy	Archivist (Publication)	Gazetted	PB-2, Level-7
7.	—	Librarian	Gazetted	PB-2, Level-6
8.	Kum. Saili G. Bhonsle	Assistant Chemist	Gazetted	PB-2, Level-6
9.	Shri Iris Joao Filomeno Pereira	Assistant Archivist Gr-I	Gazetted	PB-2, Level-6
10.	Shri Shradhanand Valvaikar	Assistant Archivist Gr-I	Gazetted	PB-2, Level-6
11.	Smt. Kruttika K. Sawant	Assistant Archivist Gr-I	Gazetted	PB-2, Level-6
12.	—	Assistant Archivist Gr-I	Gazetted	PB-2, Level-6
13.	Shri Shrinivas B. Naik	Head Clerk	Non-Gazetted	PB-2, Level-6
14.	Smt. Pranjali P. Polle	Accountant	Non-Gazetted	PB-2, Level-6
15.	Shri Rajiv P. Kudke	Asstt. Prog. Officer	Non-Gazetted	PB-2, Level-7
16.	Shri Shivdas V. Gaude	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
17.	—	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
18.	Kum. Joy Jennifer Coelho	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
19.	—	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
20.	Shri Mahesh R. Kalangutkar	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
21.	—	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
22.	—	Assistant Archivist Gr-II	Non-Gazetted	PB-1, Level-5
23.	Shri Girish G. Mavlankar	Transcriber of Records	Non-Gazetted	PB-1, Level-5
24.	Smt. Bindiya M. Dessai	Transcriber of Records	Non-Gazetted	PB-1, Level-5
25.	Smt. Neha C. Gawas	Jr. Stenographer	Non-Gazetted	PB-1, Level-4
26.	Shri Sushant C. Gawas	Assistant Photographer	Non-Gazetted	PB-1, Level-5
27.	Shri Pandurang R. Naik	Storekeeper	Non-Gazetted	PB-1, Level-4
28.	Shri Gurudas L. Naik	Account Clerk	Non-Gazetted	PB-1, Level-4
29.	Shri Yesso P. Naik	U.D.C.	Non-Gazetted	PB-1, Level-4
30.	Shri Shantaram R. Gaude	Record Clerk	Non-Gazetted	PB-1, Level-4
31.	Shri Pio Abel D' Souza	Preservation Assistant	Non-Gazetted	PB-2, Level-7
32.	Smt. Sandhya J. Bhandankar	Assistant Librarian	Non-Gazetted	PB-1, Level-5
33.	Smt. Sulaksha B. Dhulapkar	Library Assistant	Non-Gazetted	PB-1, Level-4
34.	—	Library Assistant	Non-Gazetted	PB-1, Level-4
35.	Smt. Tejeswini S. Divkar	Laboratory Assistant	Non-Gazetted	PB-1, Level-4
36.	Miss Vrinda N. Parwar	Laboratory Assistant	Non-Gazetted	PB-1, Level-4
37.	Smt. Seema R. S. Kukalayanekar	L.D.C.	Non-Gazetted	PB-1, Level-3
38.	Shri Bhaskar G. Naik	L.D.C.	Non-Gazetted	PB-1, Level-3
39.	Shri Rohidas K. Kurtikar	L.D.C.	Non-Gazetted	PB-1, Level-3
40.	Shri Harichandra A. Pokle	L.D.C.	Non-Gazetted	PB-1, Level-3
41.	Smt. Shikha N. Bhagat	L.D.C.	Non-Gazetted	PB-1, Level-3
42.	Smt. Gauri B. Gaude	L.D.C.	Non-Gazetted	PB-1, Level-3
43.	Smt. Neha V. S. Dangui	L.D.C.	Non-Gazetted	PB-1, Level-3
44.	Smt. Vidhya D. Gaude	L.D.C.	Non-Gazetted	PB-1, Level-3
45.	Smt. Shintija S. Naik	L.D.C.	Non-Gazetted	PB-1, Level-3
46.	Shri Mahadev Phadte	L.D.C.	Non-Gazetted	PB-1, Level-3
47.	Shri Clive Mack D'Mello	L.D.C.	Non-Gazetted	PB-1, Level-2
48.	Smt. Shilpa R. Sinari Gaonkar	L.D.C.	Non-Gazetted	PB-1, Level-2

49.	Shri Amay S. Parsekar	L.D.C.	Non-Gazetted	PB-1, Level-2
50.	Shri Sanjay N. Naik	L.D.C.	Non-Gazetted	PB-1, Level-2
51.	Smt. Shubshri R. Khorjuvekar	L.D.C.	Non-Gazetted	PB-1, Level-2
52.	Kum. Priyanka P. Satardekar	L.D.C.	Non-Gazetted	PB-1, Level-2
53.	Smt. Mumtaj Malgunkar	Marathi Typist	Non-Gazetted	PB-1, Level-2
54.	—	Sorter	Non-Gazetted	PB-1, Level-2
55.	Shri Dilip N. Gaunker	Sorter	Non-Gazetted	PB-1, Level-3
56.	Shri Bhupesh B. Gaude	Sorter	Non-Gazetted	PB-1, Level-3
57.	—	Sorter	Non-Gazetted	PB-1, Level-3
58.	Shri Mohan N. Naik	Sorter	Non-Gazetted	PB-1, Level-3
59.	Smt. Ruchita R. Naik	Sorter	Non-Gazetted	PB-1, Level-3
60.	Shri Pradeep S. Kurpaskar	Sorter	Non-Gazetted	PB-1, Level-3
61.	Shri Yeshwant K. Gaude	Sorter	Non-Gazetted	PB-1, Level-3
62.	Shri Krishna S. Gaude	Sorter	Non-Gazetted	PB-1, Level-2
63.	Shri Daoo K. Kunkalika	Sorter	Non-Gazetted	PB-1, Level-2
64.	Shri Rajendra C. Kerkar	Sorter	Non-Gazetted	PB-1, Level-2
65.	Shri Dhires G. Naik	Sorter	Non-Gazetted	PB-1, Level-2
66.	Shri Shivanand D. Madkaikar	Sorter	Non-Gazetted	PB-1, Level-2
67.	Shri Dilip R. Gaunekar	Receptionist	Non-Gazetted	PB-1, Level-2
68.	Shri Harishchandra Betkikar	Sr. Binder (Foreman)	Non-Gazetted	PB-1, Level-3
69.	Shri Umesh Gaonkar	Binder	Non-Gazetted	PB-1, Level-2
70.	—	Binder	Non-Gazetted	PB-1, Level-2
71.	Shri Nilesh Gaude	Binder	Non-Gazetted	PB-1, Level-2
72.	Shri Santosh B. Kudalkar	Binder	Non-Gazetted	PB-1, Level-2
73.	—	Binder	Non-Gazetted	PB-1, Level-3
74.	Shri Vishnukant Gaude	Binder	Non-Gazetted	PB-1, Level-2
75.	Shri Binudas Parwar	Binder	Non-Gazetted	PB-1, Level-3
76.	—	Binder	Non-Gazetted	PB-1, Level-2
77.	Shri Caetano Fernandes	Binder	Non-Gazetted	PB-1, Level-2
78.	Shri Rajaram L. Malik	Binder	Non-Gazetted	PB-1, Level-2
79.	Shri Narayan O. Naik	Binder	Non-Gazetted	PB-1, Level-2
80.	—	Binder	Non-Gazetted	PB-1, Level-2
81.	Shri Manuel Monteiro	Driver	Non-Gazetted	PB-1, Level-2
82.	Shri Uday L. Naik	Driver	Non-Gazetted	PB-1, Level-2
83.	Shri Dina Naik	Sweeper	Non-Gazetted	PB-1, Level-2
84.	Smt. Rajani D. Naik	Sweeper	Non-Gazetted	PB-1, Level-2
85.	Shri Tulshidas Y. Kurpaskar	MTS	Non-Gazetted	PB-1, Level-2
86.	Shri Vinod D. Naik	MTS	Non-Gazetted	PB-1, Level-2
87.	Shri Prakash V. Naik	MTS	Non-Gazetted	PB-1, Level-2
88.	Shri Mahesh M. Naik	MTS	Non-Gazetted	PB-1, Level-2
89.	Shri Durgadas Gauns	MTS	Non-Gazetted	PB-1, Level-2
90.	Shri Dadi H. Naik	MTS	Non-Gazetted	PB-1, Level-2

91.	Shri Pundalik L. Gaude	MTS	Non-Gazetted	PB-1, Level-2
92.	Shri Deepak N. Naik	MTS	Non-Gazetted	PB-1, Level-2
93.	Shri Vassudeo R. Gauns	MTS	Non-Gazetted	PB-1, Level-2
94.	Shri Charudatta Parwar	MTS	Non-Gazetted	PB-1, Level-2
95.	Shri Chudamani S. Gaude	MTS	Non-Gazetted	PB-1, Level-2
96.	Shri Bholadas V. Gaude Gaunekar	MTS	Non-Gazetted	PB-1, Level-2
97.	Shri Gouresh J. Tari	MTS	Non-Gazetted	PB-1, Level-2
98.	Shri Rameshwar G. Gaude	MTS	Non-Gazetted	PB-1, Level-2
99.	Shri Suraj R. Naik	MTS	Non-Gazetted	PB-1, Level-2
100.	Smt. Aparna A. Naik	MTS	Non-Gazetted	PB-1, Level-2
101.	Shri Subhash S. Parab	MTS	Non-Gazetted	PB-1, Level-2
102.	Shri Gregorio Bebial Peixoto	MTS	Non-Gazetted	PB-1, Level-1
103.	Smt. Manasavi M. Naik	MTS	Non-Gazetted	PB-1, Level-1
104.	Shri Ramdas Y. Kankonkar	Watchman	Non-Gazetted	PB-1, Level-1
105.	Shri Sitaram D. Divkar	Watchman	Non-Gazetted	PB-1, Level-1
106.	Shri Laxman B. Bhosale	Watchman	Non-Gazetted	PB-1, Level-1
107.	Smt. Yogita V. Dessai	MTS	Non-Gazetted	PB-1, Level-1
108.	Shri Yeshwant R. Velip	MTS	Non-Gazetted	PB-1, Level-1
109.	Smt. Shali S. Gaunso	Farash	Non-Gazetted	PB-1, Level-1
110.	Shri Sapnesh L. Chari	MTS	Non-Gazetted	PB-1, Level-1
111.	Shri Dayanand C. Velip	MTS	Non-Gazetted	PB-1, Level-1
112.	Smt. Seema X. Corjuenkar	MTS	Non-Gazetted	PB-1, Level-1
113.	Smt. Mumtaj B. M. Sanji	Sweeper	Non-Gazetted	PB-1, Level-1
114.	Shri Vishnu S. Tari	MTS	Non-Gazetted	PB-1, Level-1
115.	Shri Hanumant N. Diukar	MTS	Non-Gazetted	PB-1, Level-1
116.	Shri Sanjay C. Palyekar	MTS	Non-Gazetted	PB-1, Level-1
117.	Shri Ganashyam Guna Fadte	MTS	Non-Gazetted	PB-1, Level-1
118.	Shri Gangadhar P. Gadekar	MTS	Non-Gazetted	PB-1, Level-1
119.	Smt. Nirupa D. Chari	MTS	Non-Gazetted	PB-1, Level-1
120.	Smt. Snehal S. Vengurlekar	MTS	Non-Gazetted	PB-1, Level-1
121.	Shri Anil B. Gaonkar	MTS	Non-Gazetted	PB-1, Level-1
122.	Shri Satish G. Gaude	MTS	Non-Gazetted	PB-1, Level-1
123.	Shri Guru V. Velip	MTS	Non-Gazetted	PB-1, Level-1
124.	Shri Deepak M. Velip	MTS	Non-Gazetted	PB-1, Level-1
125.	Smt. Anandi A. Gaonkar	MTS	Non-Gazetted	PB-1, Level-1
126.	Shri John M. Menezes	MTS	Non-Gazetted	PB-1, Level-1
127.	Shri Nandan G. Naik	MTS	Non-Gazetted	PB-1, Level-1
128.	—	MTS	Non-Gazetted	PB-1, Level-1

ANNEXURE-III

List of the posts/staff to be transferred from Directorate of Archives and Archaeology to Department of Archaeology, Panaji-Goa.

Sr. No.	Name of the official	Designation	Gazetted/Non-Gazetted	Grade Pay
1	2	3	4	5
1.		Dy. Director (Admn.)	Gazetted	PB-3, Level-10
2.	Dr. Varad Sudhir Sabnis	Asstt. Supdt., Archaeologist	Gazetted	PB-2, Level-7
3.	—	Exploration Officer	Gazetted	PB-2, Level-6
4.	—	Information Officer	Non-Gazetted	PB-2, Level-6
5.	Kum. Dipika B. Bhomkar	Exploration Asstt.	Non-Gazetted	PB-1, Level-5
6.	Shri Sumesh Mahale	Conservation Asstt.	Non-Gazetted	PB-1, Level-5
7.	Shri Ashok R. Parwar	Horticulture Assistant	Non-Gazetted	PB-1, Level-5
8.	Shri Manashrey M. Dicholkar	Photographer	Non-Gazetted	PB-1, Level-5
9.	Shri Shripad G. Bhat	MTS	Non-Gazetted	PB-1, Level-2
10.	Shri Ramakant D. Velip	MTS	Non-Gazetted	PB-1, Level-1
11.	Shri Prashant B. Jadhav	MTS	Non-Gazetted	PB-1, Level-1
12.	Shri Uday S. Talawanekar	MTS	Non-Gazetted	PB-1, Level-1
13.	Shri Shriram Y. Nagvenkar	MTS	Non-Gazetted	PB-1, Level-1
14.	Shri Ramesh B. Gaonkar	MTS	Non-Gazetted	PB-1, Level-1
15.	Shri Atchut Bapu Polji	MTS	Non-Gazetted	PB-1, Level-1
MINISTERIAL STAFF				
16.	Shri Siddesh Kamulkar	L.D.C.	Non-Gazetted	PB-1, Level-2
17.	Shri Ramchandra S. Naik	Driver	Non-Gazetted	PB-1, Level-7

Department of Civil Aviation
Directorate of Civil Aviation

Order

No. 182/DOCA/AEMC/2022-446

An Airport Environmental Management Committee for Greenfield International Airport at Mopa is constituted with following members:-

1. Chief Secretary/Secretary, — Chairman.
Civil Aviation
2. Secretary, Environment.
3. Collector (North Goa).
4. Superintendent of Police (North Goa).
5. Director, Directorate of Civil Aviation.
6. Principal Chief Engineer (PWD).
7. Chief Engineer, WRD.
8. Director, Health Services.
9. Member Secretary, Goa State Pollution Control Board.
10. Member Secretary, Goa State Biodiversity Board.
11. Deputy Conservator of Forest (North Goa)

12. Deputy Chief Executive Officer, — Convenor.
GGIAL
13. Chief Operating Officer, GGIAL.
14. Head Operations, GGIAL.
15. Head EHS & Sustainability — GGIAL.

The Committee shall have the powers to co-opt more members, if necessary. The Committee may preferably meet at least 4 times in a year.

By order and in the name of the Governor of Goa.

Dr. S. Shanbhogue, Director/ex officio Joint Secretary.

Porvorim, 13th October, 2022.

Department of Co-operation
Office of the Registrar of Co-operative Societies

Notification

No. 3/10/Urban Credit/TS-II/PZ/2018/RCS/2440

Read: 1. Notification No. 3/3/Urban Credit/TS II/
/PZ/2017/RCS/Suppl.5306 dated 10-02-2020;

2. Order No. 3/10/Urban Credit/TS-II/PZ/2018/RCS/1292 dated 16-07-2020;
3. Order No. 3/10/Urban Credit/TS-II/PZ/2018/RCS/1450 dated 27-08-2021;
4. Letter No. SPUCSL/29/2022-2023 dated 22-09-2022 from Secretary of the Shiroda Progressive Urban Co-op. Credit Society Ltd., Shiroda, Goa;
5. Letter No. SPUCSL/33/2022-23 dated 03-10-2022 from Secretary of Shiroda Progressive Urban Co-op. Credit Society Ltd., Shiroda, Goa.

Whereas, vide Notification at reference No. 1 above issued by the Government exercising the powers under Section 126A of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001), (hereafter referred to as 'Act') the provision of sub-section (1) of Section 91 D of the Act was modified and the Registrar of Co-operative Societies was authorized to appoint Officers of Co-operative Credit Societies, V.K.S.S. Societies having credit counters and Multipurpose Societies as Recovery Officer/Sale Officer upon receipt of individual proposals subject to the terms and conditions as may be incorporated in the order.

And whereas, vide Order read at Sr. No. 2 above issued by the Registrar of Co-operative Societies, the General Manager of the Shiroda Progressive Urban Co-operative Credit Society Ltd., Kamaxi Harmony, Ground Floor, Bhatim, Shiroda, Goa was delegated with the powers to recover certain sums by attachment and sale of property vested in Registrar of Co-operative Societies under Section 91D of the Goa Co-operative Societies Act, 2001 read with Rule 124 of the Goa Co-operative Societies Rules, 2003 subject to the following conditions:-

1. The Officer appointed and delegated with the powers of Sales-cum-Recovery Officer shall work under the general guidance, superintendence and control of the Asstt. Registrar of Co-op. Societies, Arbitration/Execution, North Goa District, Ponda-Goa.
2. The Board of Directors of the society shall be fully responsible along with the Chief Executive Officer for any acts in contravention of the Act, Rules and Bye-laws.
3. The Board of Directors shall review the performance of the General Manager every month and ensure compliance.

The delegation of powers was for a period from 16-07-2021 to 31-03-2021, which was further extended for a period of 1 year vide Order at ref. No. 3 above.

And whereas, vide letters at ref. Nos. 4 and 5 above, the Secretary of Shiroda Progressive Urban Co-operative Credit Society Ltd., Shiroda, Goa has requested to grant further extension of one year to the General Manager of their society to act as Sale-cum-Recovery Officer for their society.

Now, therefore in exercise of the powers conferred upon undersigned under Section 123B of the Goa Co-operative Societies Act, 2001 read with Notification read at ref. No. 1 above, the delegation of powers to General Manager of the Shiroda Progressive Urban Co-op. Credit Society Ltd., Kamaxi Harmony, Ground Floor, Bhatim, Shiroda-Goa, are hereby extended for a further period of one year with retrospective effect from 01-04-2022 to 31-03-2023.

All the terms and conditions mentioned in the order referred to at Sr. No. 2 above shall continue to apply. The undersigned reserves the right to withdraw this order at any stage without assigning any reasons.

Given under the seal of this office.

Vishant S.N. Gaunekar, Registrar of Co-op. Societies & ex officio Joint Secretary (Co-operation).
Panaji, 14th October, 2022.

Office of the Asstt. Registrar of Co-operative Societies

Corrigendum

No. ARCS/CZ/HSG/945/ADM/20/1491

- Read: 1. Memo No. ARCS/CZ/HSG/945/ADM/20/1989 dated 19-07-2022.
2. Notification/Certificate of Registration No. RCSCZ2022230014 dated 19-07-2022.

The name of the society specified in the Memo, Notification and Registration Certificate referred at preamble shall be read as "The Meera Residency Co-operative Housing Maintenance Society Ltd.", instead of "The Meera Residency Co-operative Housingg Mentainance Society Ltd.".

The other contents in the Memo, Notification and Registration Certificate referred at Sr. No. 1 and 2 above will remain unchanged.

Smita Kankonkar, Asstt. Registrar (Co-op. Societies) (Central Zone).

Panaji, 11th October, 2022.

Department of Education, Art and Culture
Directorate of Higher Education

Order

No. DHE/Admn/150/WA-Asst.Dir/2022/19660

Sanction of the Government is hereby accorded for availing the services on working arrangement basis of Miss Bhakti Chandrakant Naik, Assistant Professor at V. M. Salgaocar College of Law as Assistant Director (Academic) of Higher Education as a stopgap arrangement.

Miss Bhakti Chandrakant Naik shall draw her salary as Assistant Professor of V. M. Salgaocar College of Law and her working arrangement shall be a temporary measure until the post of Assistant Director is filled on regular basis.

The Principal of V. M. Salgaocar College of Law shall relieve Miss Bhakti Chandrakant Naik, Assistant Professor with immediate effect.

This issues with the approval of Government.

By order and in the name of the Governor of Goa.

Avelina D'sa E Pereira, Under Secretary (Higher Education).

Porvorim, 17th October, 2022.

Notification

No. ADMN/APPT/CHAIRMAN/GEDC/36/2018/19544

Read: 1) Notification No. 2/23/Accts/DHE/09-10/PF-I/53 dated 06-04-2017.

2) Order No. ADMN/APPT/CHAIRMAN/GED/36/2018/5856 dated 27-02-2019.

3) Notification No. ADMN/APPT/CHAIRMAN/GEDC/36/2018/207 dated 22-04-2020.

4) Notification No. ADMN/APPT/CHAIRMAN/GEDC/36/2018/4107 dated 23-10-2020.

5) Notification No. ADMN/APPT/CHAIRMAN/GEDC/36/2018/2051 dated 14-07-2021.

In exercise of the power conferred under sub-section (1) of Section 4 of the Goa Education Development Corporation Act, 2003 (Act No. 22 of 2003), and in supersession of Order read in preamble, the Government of Goa is pleased to re-constitute the Goa Education Development Corporation with immediate effect as below:-

1. Shri Govind B. Parvatkar — Chairman.
2. Secretary (Higher Education) — Director.
3. Director (Higher Education) — Director.

4. Shri Narsiha Bhattgaonkar — Director.
5. Shri Babaji G. Sawant — Director.
6. Managing Director, GEDC — Ex officio Secretary.

By order and in the name of the Governor of Goa.

Avelina D' Sa E Pereira, Under Secretary (Higher Education).

Porvorim, 11th October, 2022.

Department of Finance
Revenue & Control Division

Order

No. 6/04/2022-23/Fin(R&C)/904

The Government is pleased to accept the technical resignation dated 06-10-2022 tendered by Shri Naresh Kushta Gaude from the post of State Tax Officer (Group "B" Gazetted) in the Office of the Commissioner of Commercial Taxes, Althino, Panaji-Goa and Shri Naresh Kushta Gaude is relieved from his duties as State Tax Officer w.e.f. 19th October, 2022 (B.N.), in order to enable him to join the post of Junior Scale Officer of Goa Civil Service in the Department of Personnel, Government of Goa, Secretariat, Porvorim-Goa.

By order and in the name of the Governor of Goa.

Pranab G. Bhat, Under Secretary, Finance (R&C).
Porvorim, 18th October, 2022.

Department of Information and Publicity

Notification

No. DI/INF/PAC/2019/-21/4/3191

In pursuance of Rule 9 (b) of the Goa Media Representatives Accreditation Rules, the Government of Goa is pleased to constitute the Press Accreditation Committee consisting of the following members:

1. Shri Sadguru Patil — Member.
2. Shri Pandurang Gaonkar — Member.
3. Shri Avit Bagle — Member.
4. Shri Vasudev Pagi — Member.
5. Shri Kailas Naik — Member.
6. Shri Marcus Mergulhao — Member.
7. Ms. Pooja Naik — Member.
8. Shri Tulsidas Raul — Member.

- | | | |
|---------------------------------------|---|-------------------|
| 9. Shri Loukik Shilkar | — | Member. |
| 10. Shri William Rodrigues | — | Member. |
| 11. Shri Mahesh Gaonkar | — | Member. |
| 12. Director, Information & Publicity | — | Member Secretary. |

The members of the Committee shall elect a Chairman from among themselves by simple majority.

The term of Committee shall be for a period of two years, commencing from the date of 1st meeting.

By order and in the name of the Governor of Goa.

Dipak Bandekar, Director (Information & Publicity).
Panaji, 13th October, 2022.

Department of Information Technology

Addendum

No. 1(90)/DOIT/ITG-DIR/2001/1084

Read: Notification No. 1(90)/DOIT/ITG-DIR/2001/95 dated 22-04-2022.

The following name may be added after Sr. No. 4 in the second para of the said Notification.

- | | | |
|--|---|------------|
| "Sr. No. 5) Director (IT), DOIT, Altinho, Panaji | — | Director." |
| 6) Dr. Dinesh Anand Amonkar, Bicholim-Goa | — | Member. |
| 7) Shri Rajan Anand Kadkade, Bicholim-Goa | — | Member. |
| 8) Shri Jerry Mathew, Porvorim-Goa | — | Member. |
| 9) Shri Mangurish Salelkar, Margao-Goa | — | Member." |

This is issued with the approval of competent authority, vide U.O. No. 1140/F dated 30-09-2022.

By order and in the name of the Governor of Goa.

Praveen R. Volvotkar, Director (IT)/ex officio Jt. Secretary.

Panaji, 13th October, 2022.

Department of Industries

Order

No. 14/9/2019-IND/Part/246

The Ministry of Micro, Small & Medium Enterprises (MSME) is implementing Micro and Small Enterprises Cluster Development Programme

(MSE-CDP) since 2003. The objective of this scheme is to enhance the productivity and competitiveness of Micro and Small Enterprises (MSEs) by extending financial assistance for establishment of Common Facility Centers (CFCs) and creation and up-gradation of Industrial Estates including Flatted Factory Complexes.

In the light of new fund release mechanism as mandated by Department of Expenditure, Ministry of Finance, Government of India regarding revised procedure for flow of fund under Central Sector Schemes, the Government of Goa is pleased to nominate Goa Investment Promotion & Facilitation Board (Goa-IPB) as "Central Nodal Agency" (CNA) for implementing each Central Sector Scheme.

The CNA will have to open a Central Nodal Account for each Central Sector Scheme in a scheduled commercial bank authorized to conduct Government business by the Ministry/Department concerned.

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Industries).
Porvorim, 13th October, 2022.

Order

No. 3/7/2017-IND/248

The Government of Goa is pleased to accept the Technical Resignation of Shri Himanshu Rajesh Patnekar, Functional Manager (Group 'B' Gazetted, in the pay scale of PB 2 Rs. 9,300-34,800 with Grade Pay of Rs. 4,600/-, Level 7 of the Pay Matrix in 7th Pay Commission) in Directorate of Industries, Trade & Commerce, Panaji in order to enable him to join as Junior Scale Officer of Goa Civil Service (Group 'A' Gazetted) in the Department of Personnel, Government of Goa, Secretariat, Porvorim-Goa.

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Industries).
Porvorim, 14th October, 2022.

Department of Labour

Order

No. 28/24/2022-LAB/548

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Netzsch Technologies India Private Limited, L-10, Verna Industrial Estate, Verna,

Goa and its workmen, represented by the Bhartiya Kamgar Sena, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas, the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7A of the said Act.

SCHEDULE

(1) Whether the action of the management of M/s. Netzsch Technologies India Private Limited, L-10, Verna Industrial Estate, Verna, Goa in refusing to concede the following charter of demands raised by the Bhartiya Kamgar Sena, vide letter dated 11-01-2022, is legal and justified?

CHARTER OF DEMANDS

Demand No. 1:-

APPLICABILITY :- The revision as per the Charter of Demands shall be applicable to all permanent workmen who are members of the said union and it shall also be applicable to those probationers who would be subsequently absorbed as permanent employees who become members of the Union hereafter.

Demand No. 2:-

FLAT RISE/FITMENT :- Each worker be given a flat rise of Rs. 7000/- in the basic salary as on 1st June, 2021. After adding the above flat rise to the basic salary as on 31-03-2021 the revised basic salary so arrived at will be then fitted in the higher Pay Scale in the Grade at appropriate stage and/or next stage in the Pay Scale.

Demand No. 3:-

GRADES AND SCALE OF PAY:-

Technicians Operators- 9000-700-12500-800-16500-900-21000-1000-26000-1100-31500.

Demand No. 4:-

(a) **DEARNESS ALLOWANCES**:- With effect from 01st June, 2021 each workman should be paid Fixed Dearness Allowance at 50% of the revised basic.

(b) **VARIABLE DEARNESS ALLOWANCE**:- With effect from 01st June, 2021 each workman should be paid Variable Dearness Allowance at Rs. 25/- per point rise over and above base 100 points (AAICPI-2016=100). The Variable Dearness Allowance should

be revised once every quarter. For computing VDA the AICPI for the period January 2021 to March 2021 shall be taken as base for payment of VDA with effect from 01-06-2021 and April 2021 to June 2021, July 2021 to September 2021 and October 2021 to December 2021 shall be taken as base for further quarters and the same cycle shall continue.

Demand No. 5:- ALLOWANCE:-

HOUSE RENT ALLOWANCE (HRA):- All the workmen should be paid additional House Rent Allowance of Rs. 2,000/- per month over and above the existing HRA. The HRA be revised every year at 10% of the basic.

Demand No. 6:-

LEAVE TRAVEL ALLOWANCE:- Each workmen should be entitled to Leave Travel Allowance @ one gross salary once in a year.

Demand No. 7:-

EDUCATION ALLOWANCE:- All the workmen should be paid Education Allowance @ Rs. 1,000/- per month.

Demand No. 8:-

CONVEYANCE ALLOWANCE:- Each workman should be paid an amount of Rs. 500/- per month over and above the existing Conveyance Allowance.

Demand No. 9:-

MEDICAL ALLOWANCE :- Each workman should be paid an amount of Rs. 5,000/- p.m. as Medical Assistance Allowance over and above the existing medical allowance.

Demand No. 10:-

SHIFT ALLOWANCE:- Each workman should be paid Rs. 50/- for 2nd Shift and Rs. 100/- for 3rd Shift respectively.

Demand No. 11:-

MONSOON ALLOWANCE:- An amount of Rs. 1000/- p.a. should be given as Monsoon Allowance to each workman.

Demand No. 12:- LEAVE FACILITIES:-

(A) **PRIVILEGE LEAVE** :- All the workmen should be given following privilege leave every year.

- (a) For first 240 days : 30 days P/L.
- (b) After 240 days : for every 5 working days, one day P/L with a right to accumulate for three years and balance P/L should be allowed to be encashed. In the event any leave is refused by the company the maximum accumulation of

leave of 3 years shall be increased by the leave refusal.

(B) CASUAL LEAVE:- All the workmen should be given 15 days Casual Leave in a year with full pay. Unavailed Casual Leave should be allowed to be encashed.

(C) SICK LEAVE:- All the workmen should be given 15 days Sick Leave in a year with full pay.

(D) Special leave should be granted for chronic illness which is sanctioned by doctors till the fitness of patient.

(E) The company has been refusing leave to the members of the Union without giving any reason even though the leave is requested for well in advance to harass the members. The company should stop this harassment and grant leave as and when applied for.

Demand No. 13:-

LOAN:- Each unionized worker should be given loan as under:-

- (a) Personal Loan : Rs. 3 Lakh at 50% subsidy p.a.
- (b) Housing Loan : All the workmen should be provided a Housing Loan as per requirement by the employee at 50% subsidy p.a.

Demand No. 14:-

INCENTIVES:- All the workmen should be paid 1% of the profit share p.a..

Demand No. 15:-

PUNCHING CARD:- Provisions of punching card should be made near the security gate.

Demand No. 16:-

SHIFT TIMES:- In case of three shift working

1st Shift time	—	08.00 to 16.00 hours.
2nd Shift time	—	16.00 to 12.00 hours.
3rd Shift time	—	00.00 to 08.00 hours.

Two times tea break in each shift to be given to each workman. The overlapping of shifts should be discontinued.

Demand No. 17:-

TRANSPORT:- Transport should be provided in all the shifts free of cost. The buses should transport the workers from factory to the schedule drop point and shall start within 10 minutes of the schedule shifts timings.

Existing facility of providing transportation in all shifts should be extended further as follows:-

- (i) Verna Plant : Cortalim-Aggasium-Bambolim-Panaji-Porvorim-Mapusa.
Verna Plant-Margao KTC-Nuvem-Power House.
- (ii) Verna Plant-Birla Cross-New Wada Vasco-KTC Vasco-Sada Vasco.
- (iii) General Shift Transport-Verna Plant-Ponda-Margao-Vasco-Panjim.

Demand No. 18:-

BONUS & EX-GRATIA:- All the workmen should be given 20% bonus on basic, DA, VDA, and HRA and 20% ex-gratia on their total annual emoluments every year. The bonus payable is irrespective of the ceiling under Payment of Bonus Act, 1965.

Demand No. 19:-

SERVICE REWARD:- Company should give service reward to the workmen who have completed 5 years and 10 years. They should be given Rs. 5,000/- and Rs. 10,000/- respectively.

Demand No. 20:-

MEDICAL SCHEME:-

- (a) All the workmen who are out of ESI Scheme should be given unlimited amount for treatment for self, spouse and two dependent children upto the age of 25 years.
- (b) Normal day-to-day Medical bills should be claimed after submission of bills.
- (c) Company should tie up to two standard hospitals near company to get immediate treatment to the workmen in emergency.
- (d) Company should make available of ambulance for 24 hours in the company's premises.

Demand No. 21:-

(1) Company should give time for Union to take meetings in the premises every 3 months.

(2) Company should continue short leave of 2 hours or late reporting of 10 minutes to all the Union members in case of any emergency.

(3) Seniority increment in basic salary to the seniors, who have completed 5 years, 10 years and above should be given 2 increments, 3 increments respectively.

(4) In case of job rotation in the same grade for any union workers, intimation letter should be given to the workers stating type of work, period with duly signed by Union leader, President and the rotated employee. The operators should not be rotated in Jobs which were not done by the operators in the past.

(5) Marriage gift of Rs. 5000/- as token of love should be given to each workman who is getting married should be continued.

(6) Birthday/Marriage Anniversary gift.

(7) The management should accept the correspondence from the Union/workmen when offered.

Demand No. 22:-

INSURANCE POLICY :- All the workmen and their family members should be covered under the group personal accident insurance policy. The accident coverage of each workman and his family should be revised to Rs. 5,00,000/- (Rupees five lakhs only). The coverage should be on a 24 hours basis. The term & conditions prevailing as per the policy shall be binding.

Demand No. 23:-

LUMP SUM PAYMENT :- All the workman should be given one time lump sum amount of Rs. 10,000/- (Rupees Ten thousand only) as settlement signing incentive.

Demand No. 24:-

FESTIVAL ADVANCE:- The permanent workmen should be paid festival advance of Rs. 24,000/- per year. The advance will be paid once a year, either for Ganesh Chaturthi, Id or Christmas as per request made by the workmen in writing. The advances should be deducted in 12 equal monthly installments from the salary of the workmen.

Demand No. 25:-

Rs. 10,000/- (Rupees ten thousand only) be granted to each of the workmen w.e.f. 01-06-2021 by way of Interim Relief pending finalization of the Charter of Demands.

Demand No. 26:-

In the night shift the management should give 15 minutes rest after every hour of working with a reliever operator during the said period.

Demand No. 27:-

WASHING ALLOWANCE:- The Union demands that the company should give washing allowance of Rs. 500/- p.m. for washing the company provided uniforms. In the alternative the company should provide Laundry facility to wash the company uniforms.

Demand No. 28:-

HOUSE KEEPING FACILITY:-

- (a) The Company presently doing the cleaning of the floors by engaging casual labour. The company should provide additional casual labour to clear the floor area, other areas and machines etc.

- (b) Casual workers should be provided wherever required in production areas.

Demand No. 29:-

SNACKS :- At present only the first shift workers are provided free breakfast. The company should give the same facility to the worker who report in 2nd shift and 3rd shift.

Demand No. 30:-

ATTENDANCE ALLOWANCE:- All the workmen should be given Attendance Allowance as shown below:-

- | | |
|-------------------------|------------|
| (a) For 26 days present | Rs. 900/-. |
| (b) For 24 days present | Rs. 700/-. |
| (c) For 22 days present | Rs. 500/-. |

Demand No. 31:-

RETROSPECTIVE EFFECT:- All the above demands should be given with retrospective effect from 01-06-2021 to 31-05-2024.

- (2) If answer to issue No. (1) is negative then, what relief the workmen are entitled?.

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).

Porvorim, 4th October, 2022.

Order

No. 28/28/2022-LAB/572

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. St. Anne's School, St. Anne's Education Trust, Agalli, Fatorda, Margao, Goa and it's workman, Shri Menino Gomes, Driver, in respect of the matter specified in the Schedule hereto;

And whereas, the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under Section 7(1) of the said Act.

SCHEDULE

- (1) Whether the action of the management of M/s. St. Anne's School, St. Anne's Education Trust, Agalli, Fatorda, Margao, Goa, in

dismissing Shri Menino Gomes, Driver, with effect from 07-09-2020, is legal and justified?

(2) If not, to what relief the workman is entitled?.

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).

Porvorim, 14th October, 2022.

Notification

No. 28/02/2022-LAB/Part-III/440

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 29-07-2022 in Ref. No. IT/12/2017 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).

Porvorim, 19th August, 2022.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before Ms. Bela N. Naik, Honble Presiding Officer)

Ref. No. IT/12/2017

Workmen,

Rep. by General Secretary,
Gomantak Mazdoor Sangh,
G-5, Macedo Appts.,
Tisk, Ponda-Goa

... Workmen/Party I.

V/s

M/s. Indi Pharma Pvt. Ltd.,
Plot No- 2-9,
Bethora Industrial Estate,
Bethora, Ponda-Goa

... Employer/Party II.

Workperson/Party-I represented by Ld. Representative Shri P. Gaonkar.

Employer/Party-II represented by Adv. Shri M. S. Bandodkar along with Adv. Shri P. Bandodkar.

AWARD

(Delivered on this the 29th day of the month of July of the Year 2022)

By Order dated 17-05-2017, bearing No. 28/49/2016-LAB/351, the Government of Goa in

exercise of powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947 (for short 'The Act'), has referred the following dispute to this Tribunal for adjudication.

(1) "Whether the action of the Management of M/s Indi Pharma Private Limited, Plot No. 2-9, Bethora Industrial Estate, Bethora, Goa in retrenching the following seven workmen with effect from 03-07-2008, is legal and justified?"

Serial No.	Name	Designation
1.	Shri Vasudev B. Gaude	Operator.
2.	Shri Ramnath Kodarkar	Operator.
3.	Shri Prakash Naik	Operator.
4.	Shri Ramdas K. Gaude	Operator.
5.	Shri Prashant Naik	Operator.
6.	Shri Ulhas Kanekar	Operator.
7.	Shri Anand Kotharkar	Operator.

(2) If the answer to issue No. (1) above is in the negative, then, what relief the workmen are entitled to?"

2. Upon receipt of the reference, it was registered as IT/12/2017 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim Statement at Exhibit 4. Thereafter, the Party II filed its Written Statement which is at Exhibit 6.

3. The brief facts giving rise to the present reference is that the Party I states that M/s Indi Pharma Private Limited is a pharma industry manufacturing various pharma products employing more than 200 workmen including the temporary workmen at Bethora Industrial estate, Ponda-Goa and the seven workmen mentioned in the Order of Reference were working as Operators in the Factory since 1998 and they were in continuous employment. That in the month of May, 2008 the Party II/Employer sought for permission to retrench these seven workmen under the provisions of Chapter VB of the Industrial Disputes Act, 1947 and the appropriate Authority have rejected the permission for retrenchment as the Order was given by the Appropriate Authority after 60 days and the Management challenged the said Order before the Hon'ble High Court of Bombay at Goa and the Hon'ble High Court quashed the said Government Order on technical grounds. After quashing the said Order, the workmen through their Union raised an industrial dispute vide letter dated 13-10-2014 and on receipt of the said letter the Asst. Labour Commissioner (ALC), Ponda-Goa called both the Parties for joint

discussions which ended in failure due to the adamant attitude of the Management.

4. The Party I further states that on receipt of the Failure Report, the Appropriate Government referred the said dispute to the Tribunal for adjudication. The Party I states that the Party II was involved in the habit of implementing various unfair labour practices such as non-payment of minimum wages, engaging the temporary workers for years together by giving artificial breaks, non-implementation of provisions of various labour laws. It is further stated that the Party II were having huge orders and were engaging more than 100 temporary workers. Party I further submits that the workmen in the reference were senior most workmen and only to terminate their services, the Management has issued the illegal retrenchment to these permanent workmen. After the retrenchment of these permanent workmen the Party II engaged new workmen on their place of work in order to abolish the permanent post and to engage the temporary or contract workers on their workplace. Since the Management has engaged new workmen, their Union requested the Office of the Labour Commissioner vide their letter dated 29-06-2010 to direct the Employer to re-employ them in accordance with the provisions of Section 25-H of the Industrial Disputes Act and upon receipt of the said representation, the Office of the Labour Commissioner called both the Parties on various occasions and finally on 28-06-2012, the Management offered them the work of unskilled nature although all these seven workmen were working as Operators. The four workmen namely, Shri Ramnath Kodarkar, Shri Ramdas Gaude, Shri Prakash Naik and Shri Anand Kotharkar in duress accepted the offer of the Management of unskilled work and rejoined the duty w.e.f. 06-06-2012. That after re-joining the Company, the Employer has taken the work of semi-skilled and skilled nature, however they were paid the wages as per the minimum wages of unskilled category. The Party II employed new workmen to carry out the work of these workmen and there were more than 119 workers whose contributions were paid for the period from 01-10-2008 to 31-03-2009.

5. The Party I states that the action of the Management in retrenching these workmen and engaging junior workers, temporary workers or contract workers in their place is totally bad in law and illegal and before the retrenchment, the Management has not followed the provisions of Section 25-N and 25-G of the Industrial Disputes Act. The party I also states that the workmen namely, Shri Vasudev Gaude, Shri Prakash Naik and Shri Ulhas Kanekar who were working as Operators did not accept the offer of re-employment of the Management

in unskilled category as they were the most senior workmen. The workmen namely, Shri Ramdas Gaude who was re-employed expired while he was on duty on 27-02-2007 and as such his legal heirs are entitled for the full back wages from the date of retrenchment till the date of re-employment and difference of wages from 06-02-2012 along with other dues. Hence, the Party I pray that the action of the Management in retrenching them from services w.e.f. 03-07-2008 be declared as illegal and unjustified and they are entitled for re-instatement with full back wages and continuity in service as prayed by them in the Claim Statement.

6. In the Written Statement the Party II/Employer has raised objections that the entire reference is bad in law and not maintainable and needs to be rejected and they have denied all the allegations made against them in the Claim Statement by the Party I.

7. It is the case of the Party II that it had two departments and one department was manufacturing ointment and another department was manufacturing tablets and capsules. The Tablets and Capsules Department was closed down from 22-06-2007 in compliance with an Order dated 20-06-2007 of the Directorate of Foods and Drugs Administration (FDA), Goa and for about one year the workmen working in the Tablets and Capsules Department were required to be kept idle and subsequently these workers were retrenched by giving notice u/s 25-N and thereafter they were retrenched in accordance with law by paying them all the legal dues to be paid as required under Section 25-F and 25-N of the Industrial Disputes Act.

8. The Party II gave a notice dated 18-07-2007 to the Government about retrenchment under Chapter V-B along with an application dated 07-09-2007 seeking permission for retrenchment of 13 workmen working in the said Department and the Government of Goa after hearing gave the permission to the Party II in terms of the deeming provisions u/s 25-N (4) of the Industrial Disputes Act, i.e. on the expiration of 60 days after Party II made the application for permission to retrench and hence, the Party II retrenched the workmen as per the law by giving them the compensation as required u/s 25-F and 25-N of the said Act. The Party II states that before the actual and physical retrenchment they even made a letter dated 16-01-2008 bringing to the notice of Government of Goa that since 60 days have expired, the permission for retrenchment is deemed to be granted under the Industrial Disputes Act under expiry of 60 days from the date of filing of the said application.

9. The Party II further states that the Government of Goa did not reply to their letter dated 16-01-2008

thereby confirming indirectly that it was fully justified for the Party II to retrench the workmen. The Party II infact has permanently closed the said Department from 22-06-2007 more than one year before the date of the retrenchment and infact has paid idle wages for more than one year to the workmen before they were retrenched. The Government of Goa have given them deemed permission and as such the retrenchment is already deemed to have been granted on the expiry of 60 days from the date the application for permission to retrench was made by the Company. It is further stated that though they have retrenched 13 workmen, only seven workmen have raised dispute and six workmen had accepted the position that the retrenchment was legal and justified and as such the stand of the said seven workmen is not justified and illegal. The Hon'ble High Court has confirmed the Order of Retrenchment which is by virtue of deeming provision and on this ground also the present reference is not maintainable. The workmen in the present dispute have accepted temporary job in unskilled category knowing fully well that the Tablet and Capsules Department has been permanently closed and no job is available to them in the Ointment Department.

10. It is also stated that they had offered re-employed to the retrenched workers on temporary basis as per the availability of work and the workmen namely Shri Vasudev Gaude, Shri Prakash Naik and Shri Ulhas Kanekar have not accepted the offer of re-employment as they are gainfully employed elsewhere. Hence, the Party II states that their action in retrenching these workmen is not illegal and the legal heirs of the deceased workman Shri Ramdas Gaude is entitled to the amount, if any, i.e. lawfully due to Late Ramdas Gaude. The Party II hence states that the workmen are not entitled to any relief as prayed and pray that the present reference be rejected accordingly.

11. In the Rejoinder at Exhibit 7 the Party I denied the case put forth by Party II in the Written Statement.

12. Based on the above mentioned pleadings my Learned Predecessor has framed the Issues at Exhibit 10 and the same are as follows:

ISSUES

1. Whether the Party I proves that the action of the Party II in retrenching the workmen from the service with effect from 03-07-2008 is illegal and unjustified?
 2. Whether the Party I proves that they are entitled for reinstatement with full back wages and continuity in service with consequential benefits?
 3. Whether the Party II proves that the reference is not maintainable as stated in para A, B, C, D & E of the Written Statement?
 4. What Relief? What Award?
13. During the course of evidence the Party I examined its first witness Shri Ramnath Kodarkar and through this witness brought on record copy of Appointment Letter of Mr. Vasudev Gaude dated 29-12-1998 at Exhibit 12, copy of letter dated 29-12-1998 reference to absorption of services at Exhibit 13, copy of Appointment Letter of Mr. Ulhas Kanekar dated 18-03-2000 at Exhibit 14, copy of Appointment Letter of Mr. Prakash Naik dated 31-12-2002 at Exhibit 15, copy of Appointment Letter-Training of Mr. Prashant A. Naik dated 09-02-2004 at Exhibit 16, copy of Appointment Letter of Mr. Anand Kotharkar dated 22-08-2005 at Exhibit 17, copy of Appointment Letter of Mr. Prashant A. Naik dated 09-02-2005 at Exhibit 18, copy of Employees Family Pension Scheme 191 Para 15(4) contribution period from 01-02-2008 to 28-02-2008 at Exhibit 19, copy of Employees Family Pension Scheme 191 Para 15(4), Contribution period from 01-03-2008 to 28-02-2009 at Exhibit 20, copy of letter dated 09-06-2010 reference to request for information under Right to Information Act along with forwarding letter to RTI at Exhibit 21 Colly, copy of letter dated 09-06-2010, certified copies of return of contribution at Exhibit 22, copy of Return of PF Contribution period from 01-10-2008 to 31-03-2009 and from 01-04-2009 to 31-10-2009 and copy of ESI Returns at Exhibit 23 Colly, Copy of Notice dated 11-04-2012 to the Management by the Labour Commissioner at Exhibit 24, copy of minutes of meeting held before the Commissioner, Labour and Employment, Panaji on 28-06-2012 at Exhibit 25, copy of letter dated 13-10-2014 to the Assistant Labour Commissioner by Party I at Exhibit 26, copy of notice dated 20-10-2014 to both the Parties at Exhibit 27, copy of letter dated 04-11-2014 to the Assistant Labour Commissioner by the Management at Exhibit 28, copy of reply dated 17-11-2014 to the letter dated 04-11-2014 submitted by the Management at Exhibit 29, copy of letter dated 23-05-2016 to the Labour Commissioner by Party I at Exhibit 30, copy of notice dated 10-06-2016 by the Assistant Labour Commissioner to the Management at Exhibit 31, copy of letter dated 20-06-2016 with regards to alleged illegal retrenchment at Exhibit 32, copy of reply dated 21-06-2016 to the letter dated 20-06-2016 by the Management at Exhibit 33, copy of letter dated 04-07-2016 regards to alleged illegal retrenchment at Exhibit 34, copy of notice dated 11-07-2016 to the Management by Assistant Labour Commissioner at Exhibit 35, copy of notice dated 08-08-2016 to the

Management by Assistant Labour Commissioner at Exhibit 36, copy of Minutes of conciliation proceedings held on 08-08-2016 at Exhibit 37, copy of report of failure of conciliation proceedings dated 31-08-2016 at Exhibit 38 and copy of letter of appointment dated 01-04-1995 of Ramnath Kodarkar at Exhibit 39. During cross-examination of this witness documents brought on record were a copy of letter dated 20-06-2007 by the Director, FDA to the Party II at Exhibit 40, copy of the Notice dated 18-07-2007 issued to the workmen and also displayed on the Notice Board of the Company and the copy issued to the Health Minister, Labour Commissioner, Field Inspector of Factories & Boilers, Assistant Labour Commissioner, Ponda at Exhibit 41, a copy of the application dated 07-09-2007 u/s 25-N of the Industrial Disputes Act addressed to the Under Secretary, Labour the Party II seeking permission to retrench 13 workmen at Exhibit 42 Colly, a copy of Written Objection dated 04-10-2007 along with the annexures at Exhibit 43 Colly, Reply dated 17-10-2007 to the objection at Exhibit 44, copy of letter dated 16-01-2008 to the Under Secretary (Labour) stating that the permission applied shall be deemed to have been granted as more than 60 days have elapsed at Exhibit 45, copy of letter dated 02-06-2008 by the Commissioner, Labour and Employment to the Company that the hearing has been fixed before the Hon'ble Minister for Labour in his chamber at Exhibit 46, copy of letter dated 30-05-2008 by the Party II to the Commissioner, Labour and Employment at Exhibit 47, copy of Order dated 02-06-2008 passed by the Appropriate Authority stating that the Application filed by the Party II on 07-09-2007 retrenching 13 workmen has been dismissed along with the annexures at Exhibit 48 Colly, copy of letter dated 05-08-2008 to the Under Secretary (Labour) raising objection to the Order dated 02-06-2008 of Minister of Labour with a copy to the Minister for Labour and the Union at Exhibit 49, copy of the Writ Petition No. 557/2008 at Exhibit 50, copy of dispute raised before Assistant Labour Commissioner and the Company reply vide letter dated 20-07-2016 at Exhibit 51 and a copy of the complaint filed by the Party II to the Secretary, Labour objecting for calling the meeting vide letter dated 08-11-2016 at Exhibit 52.

14. The Party I examined its 2nd witness Shri Prashant Naik and during cross-examination brought on record a copy of letter dated 30-11-2011 from Party II at Exhibit 55.

15. The Party II examined its first witness Shri Ajit Shinkre and through this witness brought on record copy of Company's letter dated 27-06-2007 to the Director, Food & Drugs Administration at Exhibit 69,

copy of Opinion of M/s Arnita Consultants, Architects and Engineers at Exhibit 70 Colly, copy of order dated 22-06-2010 of the Authority under the Payment of Wages Act, 1936 at Exhibit 71, copy of letters to the seven workmen offering re-employment at Exhibit 72 Colly and copy of Postal acknowledgements from the workers at Exhibit 73 Colly. During cross-examination of this witness documents brought on record were a copy of list of permanent workmen working in the Production Department at Exhibit 74, copy of the list of batch manufacturing record for one week i.e. from 20-11-2019 to 26-11-2019 at Exhibit 75 Colly, copy of ESI Returns from July, 2019 to December, 2019 at Exhibit 76 Colly, copy of PF Returns from July, 2019 to December, 2019 at Exhibit 77 Colly and a copy of Regularization Letter of Vasudev Gaude dated 19-01-1999 at Exhibit 78.

16. The Party II examined its 2nd witness Shri Eurico Noronha and through this witness brought on record a copy of Retrenchment letter dated 26-06-2008 of Vasudev Gaude at Exhibit 83, copy of Retrenchment letter dated 26-06-2008 of Ramnath Kodarkar at Exhibit 84, copy of Retrenchment letter dated 26-06-2008 of Prakash Naik at Exhibit 85, copy of Retrenchment letter dated 26-06-2008 of Ramdas Gaude at Exhibit 86, copy of Retrenchment letter dated 26-06-2008 of Prashant Naik at Exhibit 87, copy of Retrenchment letter dated 26-06-2008 of Ulhas Kanekar at Exhibit 88, copy of Retrenchment letter dated 26-06-2008 of Anand Kotharkar at Exhibit 89, copy of post acknowledgement No. 5179 of Vasudev Gaude at Exhibit 90, copy of post acknowledgement No. 5174 of Ramnath Kodarkar at Exhibit 91, copy of post acknowledgement No. 5172 of Prakash Naik at Exhibit 92, copy of post acknowledgement No. 5178 of Ramdas Gaude at Exhibit 93, copy of post acknowledgement No. 5170 of Prashant Naik at Exhibit 94, copy of post acknowledgement No. 5168 of Ulhas Kanekar at Exhibit 95, copy of post acknowledgement No. 5179 of Anand Kotharkar at Exhibit 96, copy of final settlement letter dated 16-08-2008 of Vasudev Gaude with enclosures at Exhibit 97 Colly, copy of final settlement letter dated 16-08-2008 of Ramnath Kodarkar with enclosures at Exhibit 98 Colly, copy of final settlement letter dated 16-08-2008 of Prakash Naik with enclosures at Exhibit 99 Colly, copy of final settlement letter dated 16-08-2008 of Ramdas Gaude with enclosures at Exhibit 100 Colly, copy of final settlement letter dated 16-08-2008 of Prashant Naik with enclosures at Exhibit 101 Colly, copy of final settlement letter dated 16-08-2008 of Ulhas Kanekar with enclosures at Exhibit 102 Colly, copy of final settlement letter dated 16-08-2008 of Anand Kotharkar with enclosures at Exhibit 103 Colly and Copy of Certificate of Posting dated 27-06-2008 at Exhibit 104.

17. Heard arguments. Learned Advocate Shri S. P. Gaonkar argued on behalf of Party I and Learned Advocate Shri M. S. Bandodkar argued on behalf of the Party II. Both the Parties have placed on record written submissions.

18. I have gone through the records of the case and have duly considered the arguments advanced and also the arguments placed on record and after going through the same, I have given my reasons and findings on the issues which are framed and the same are as follows:

Issue No. 1 & 2	... Negative.
Issue No. 3	... Affirmative.
Issue No. 4	... As per the Final Order.

REASONS

Issue No. 1 and 2:

19. Issue No.1 and 2 are discussed together for the sake of convenience and also as they are interconnected. The Party I have examined in all six witnesses namely Shri Ramnath Kodarkar, Shri Prashant Naik, Shri Prakash Naik, Shri Ulhas Kanekar and Shri Anand Kotharkar and Shri Vasudev Gaude after which the Party I closed their case. The Party II examined Shri Eurico Noronha and Shri Ajit Shinkre after which they closed their case. Both the Parties have placed on record various documents which are at various exhibits and I have perused them in deciding the present case.

20. The admitted fact of the present case is that the Party I workmen were employed by the Party II which was initially known as Helvetica Laboratories which is subsequently known as M/s Indi Pharma and the seven workmen whose names are mentioned in the Order of Reference were working as 'Operator' in their Factory and were in continuous employment. All these seven workmen were retrenched from the services under the provisions of Chapter V-B of the Industrial Disputes Act as in the month of May, 2008 the Party II sought for permission to retrench them under the above mentioned provision. The admitted fact is also that the Directorate of Food and Drugs Administration had carried out an inspection of the premises of Party II on 13-06-2007, and by a letter dated 20-06-2007 ordered the Employer to stop forthwith the manufacturing activity of tablets and capsules as according to them there were certain deficiencies in compliance with GMP Schedule-M requirement. It is also true that the Party II had set up its manufacturing of pharmaceutical products at Bethora, Ponda-Goa somewhere in the year 1999 and one building was manufacturing tablets and

capsules and ointments were manufactured in a separate building at Bethora Plant. The manufacturing of tablets was ordered to be stopped vide letter dated 20-06-2007 and as such the Employer stopped the manufacturing of tablets and capsules from 22-06-2007. The Party I had stated that the Employer had no intention to restart the manufacturing of tablets and capsules and as such the Employer permanently closed the Tablet and Capsule Division. This position is admitted by the workmen and the witnesses of the Party I.

21. The records and the evidence shows that the Party II had given the workmen who were employed in the Tablets and Capsule Department in notice in writing dated 18-07-2007 under Section 25-N of the Industrial Disputes Act expressing their intention to retrench them due to the shutting down of the tablets and capsule production as per the directions of the FDA Director. The Party II also made an application dated 07-09-2007 to the Government of Goa u/s 25-N of the Industrial Disputes Act for permission under the Industrial Disputes Act to retrench the workmen. All these documents are at Exh. 29 to Exh. 36. It is seen that the Employer furnished the list of workmen proposed to be retrenched in the particular category on the last – in –first out principle in terms of Section 25-G of the Industrial Disputes Act and the seven workmen on whose behalf the present reference has been raised is by Gomantak Mazdoor Sangh. It is seen that the Union representing the said aggrieved workmen filed its objection for their retrenchment but the Union did not raise any objection to the list of workmen proposed to be retrenched and did not file any alternative list of workmen who in their opinion ought to have been retrenched in place of the workmen who have raised the dispute. This position is admitted by all the witnesses examined by the Party I which will be discussed thereafter.

22. It is also an admitted position that the Government of Goa failed to communicate any Order within a period of 60 days from the date of application for retrenchment was made by the Employer, hence, u/s 25-N (4) of the Industrial Disputes Act, 1947 the permission for retrenchment for which the Employer had applied was deemed to have been granted by the Government of Goa upon the expiration of said 60 days by way of deeming provision. (Copy Para 15, 17, 18 of Exh.105).

23. Now coming to the evidence of all the witnesses examined by the Party I, it is seen that the cross-examination of all these witnesses is almost the same. The first witness Shri Ramnath Kodarkar who was in the services of the Party II from 1998 and he was

retrenched by the Party II on account of closure of Tablet Department w.e.f. 22-06-2007. He has placed on record the documents from Exh. 12 to 39. In his cross-examination he has admitted that he has no document to show that was a member of the Goa Trade and Commercial Workers' Union nor he has produced any documents to show that he was the member of the Goa Trade and Commercial Workers' Union though he contends that he was paying Membership Fee. He is aware of the letter dated 20-06-2007 made by the Director of FDA directing the Party II to stop manufacturing tablets and capsules at Bethora. The said letter is at Exh. 40 which is admitted by him. He has also admitted that on 18-07-2007 the Company had issued notice to all the workmen and has also displayed the said notice on the Notice Board of the Company and the copy issued to Health Minister, Labor Commissioner, Asstt. Labour Commissioner, Field Inspector of Factories which document is at Exh. 41. He is also aware of the application dated 07-09-2007 u/s 25-N of the Industrial Disputes Act addressed to the Under Secretary, Labour by which the Company sought permission to retrench 13 workmen which document along with the annexures is at Exh. 42 Colly (produced in cross). He is also aware about the objection given by the Union in writing dated 04-10-2007 which is at Exh. 43 Colly (produced in cross) and he is also aware that the Company had responded to their objection vide letter dated 17-10-2007 which is at Exh. 44 (produced in cross). He is also aware of the letter made by the Company to the Under Secretary (Labour) dated 16-01-2008 stating that the permission applied shall be deemed to have been granted as more than 60 days have lapsed which document is at Exh. 45 (in cross). Further, he is also aware of Exh. 46, 47 which are produced in cross which refers to the matter fixed before the Minister for Labour and to the Commissioner. He is also aware about the Order passed by the Appropriate Authority which is at Exh. 48 Colly (in cross) stating that the application filed by the Company on 07-09-2007 retrenching 13 workmen is dismissed. He is aware of Exh. 49 and 50 (produced in cross) wherein vide Exh. 50 the Hon'ble High Court disposed the Writ Petition on 17-09-2014 quashing and setting aside the Order dated 02-06-2008 of the Appropriate Authority.

24. In short, he is aware of all the correspondence and the various stages that took place prior to retrenchment and during the course of retrenchment of the said workmen. He has admitted in cross that after the closure of Tablet and Capsule Division, the Company never started manufacturing of the said products till date.

25. The second witness Shri Prashant Naik was also retrenched from his services by the Party II w.e.f. 22-06-2007 and he has admitted in cross that the Tablet Department was closed from 22-06-2007 and he was continuously employed by the Party II in the Tablet Department till he was retrenched from the services. In chief he has stated that there was no separate Tablet Department of the Party II at the time of their termination and in cross he states that he was working in Ointment Department and so also he is working in the same Department at the time when his deposition was recorded. He has admitted in cross that separate machineries are required for manufacture of tablets and capsules and separate machinery is required for ointment and ointment cannot be manufactured on the machineries meant for tablets and capsules. He admits that the Tablet Department remained idle from 22-06-2007 to July, 2008 and during this time he was in Tablet Department and packing ointment which shows that he does not wish to disclose as to in which exact department he was working at the relevant time. He admits that he has no document to show that during the above period they were all in the Tablet Department packing ointment.

26. He has admitted that they were given Appointment Letters by the Party II whereas in his Affidavit-in-Evidence he has stated that none of the employees involved in the present reference were given any letter appointing them in the Tablet Department. Hence, the falsity of this witness is thus established. He has admitted all the admissions accepted by the first witness and therefore the same are not repeated. He is aware that the Company had filed an application u/s 25-N of the Industrial Disputes Act for the workers working in Tablet and Capsule Department and he is also aware of the Order passed by the Director, FDA directing Party II to close the Tablet and Capsule Department. He has admitted that he was paid retrenchment compensation as well as all other legal dues by the Company and he does not know when they raised the dispute before the Labour Commissioner. He admits that the Company engages temporary and contract workers as and when there is temporary increase in the work. He admits that they have not written any letter to the Company mentioning about the alleged discrepancies as mentioned in Para-6 of his Affidavit in Evidence which refers to the fact that the Party II allowed their manufacturing licence to lapse and did not take any steps to renew it as they could have very well complied with the notice and got the licence renewed which shows that the allegations of the workman are in air without the support of any documents. He has admitted that they were called

back for the work whenever the Factory used to start and the contract workers and so also the temporary workers used to get breaks on account of shut-down. He admits Exh. 55 (produced in cross) which is a letter made to him by the Company, the contents of which are self-explanatory which refers to the closure of the Tablet Department and the closure of the Capsule Department.

27. The third witness of the Party I Shri Prakash Naik was working as a Helper with the Party II till his retrenchment by the Company and he has stated the details in his Affidavit-in-Evidence and in his cross-examination, he has admitted that he was working in Tablet Department when the said Department was closed and all the workmen working in the Tablet Department were retrenched on 22-06-2007 and he also admitted that the Tablet Department never started again and only Ointment Department is functioning. He has totally corroborated to all the admissions made by the 1st and 2nd witness of the Party I and he does not know whether the Order of Reference mentions whether their retrenchment w.e.f. 03-07-2008 is legal and justified. He also admitted that the machinery used in the Tablet Department cannot be used in Ointment Department. He further admitted that at the time when the offer of employment was made the Company required only Helpers. He could not give any details as to which of the workmen of the Party I were working in the Ointment Department. He is aware that the Government accepted the closure of the Tablet Department by virtue of the fact that 60 days have passed after the application as per Section 25-N (V-B) of the Industrial Disputes Act. He admits that he did not file any complaint that the Company took opportunity to remove permanent employees and replace them with temporary and contract basis employees. He also admits that some of the workmen accepted the employment in the Ointment Division and till date they are working and he was also given an offer of employment in the Ointment Division.

28. The 4th witness of the Party I is Shri Ulhas Kanekar who was working as a Machine Operator with the Party II from 02-03-2000 and was continuously employed with them till his retrenchment on the closure of the Tablet Department w.e.f. 22-06-2007. In his cross-examination, he has admitted all the admissions made by the first three witnesses and hence the same are not mentioned again so as to avoid its repetition. He has stated in cross that the present Union has not filed any objections to the Government on the application for retrenchment and he does not have nor he filed any document to show that he is a Member of the present Union. He admitted that no Resolution has been filed

for raising the dispute by the Union and he also stated in cross that the Tablet Department and Ointment Department are situated at different locations and further stated that all the workers concerned in the dispute were offered employment and so also the workers whose names are mentioned in the Order of Reference were also offered employment but he refused to accept and 4 workmen accepted the employment. He is aware of the closure of the Tablet Department by the Government Order and above all he has clearly stated that retrenchment compensation and other dues were offered at the time of retrenchment and he has received the Demand Draft to that effect.

29. The 5th witness of the Party I is Shri Anand Kotharkar who was appointed by the Party II as Operator in the year 2005 till his retrenchment w.e.f. 22-06-2007. This witness has also admitted all the admissions made in cross by the first 4 witnesses and according to him he was working in the Tablet Department which was closed from 22-06-2007 and he has admitted that he was paid the retrenchment compensation as well as all the other legal dues. He admits the separate functioning and separate location of Tablet and Ointment Department and he does not know when they raised the dispute before the Labour Commissioner. He is aware of Exh. 55 and since the cross-examination is exactly the same as that of the other witnesses, the same is again not repeated.

30. The last witness is Shri Vasudev Gaude who was appointed by the Party II from 01-03-1991 and the senior most Operator continuously employed with the Party II till his retrenchment. In his cross-examination, he has admitted all the admissions made by the first 5 witnesses. He admits that the Tablet Department was closed on the basis of instructions from the Government and Tablet and Ointment Department are situated at different locations according to him. He has admitted that he has received the retrenchment compensation and other legal dues offered at the time of retrenchment as he received the cheque and he also admits that other workers concerned in the reference were offered employment and out of them only four accepted. It is to be noted here that he precisely admitted that the Plant was not suitable for functioning therefore the Government asked them to close the said Department. Rest of the cross examination is the same as that of the other witnesses.

31. Hence, all this goes to show that the Party II was justified in their action of retrenchment and Party II has complied with Section 25-G of the Industrial Disputes Act. It is to be noted here that

the Party I has not raised a dispute before the Labour Commissioner stating that the Party II has violated Section 25-N of the Industrial Disputes Act therefore they are estopped from raising a dispute for which no demand has been raised with the Management and infact the dispute raised before the Labour Commissioner only states that the Party II has retrenched the 7 workers in violation of Section 25-F and Section 25-H of the Industrial Disputes Act. The Minutes of conciliation proceeding and the Failure Report at Exh. 37 and 38 state that the Management had not followed the principle of "last come first go" and as such the action of the Management in retrenching the 7 workers is illegal and unjustified and in violation of Section 25-H of the Industrial Disputes Act. The Union has never claimed that the Section 25-H was violated before the Labour Court and the dispute raised was specifically for violation of Section 25-H of the Industrial Disputes Act.

32. All the above contentions that the Party II has violated Section 25-N is without any basis and are unjustified and Party I is estopped from claiming any violation of Section 25-H when the dispute raised was for violation of Section 25-H. It is also to be noted here that the workers could not be employed on a permanent basis as no permanent vacancies had arisen and the employment offered was what was available with the Party II. The Party II could not create vacancies just for these 7 workmen and in any event the Party II has complied with Section 25-G and 25-H of the Industrial Disputes Act, 1947.

33. Learned Advocate Shri M. S. Bhandodkar at this juncture has placed reliance on the authority reported in the case of Sindhu Resettlement V/s Industrial Tribunal reported in 1968 1 LLJ 834 wherein the Hon'ble Supreme Court has held that "*If no dispute at all is raised by the employees with the Management, any request sent by them to the Government would only be a demand by them and not an industrial dispute between them and their Employer. An industrial dispute, as defined, must be a dispute between employers and workmen. The Government as to come to an opinion that an industrial dispute does exist and that opinion can only be formed on the basis that there was a dispute between the employee and the employer*".

34. It is an admitted fact that permission is deemed to have been granted by the Government under Section 25-N(4) of the Industrial Disputes Act, 1947 and the same has not been challenged before any Court after the High Court Order. The Party II states that admittedly permission for retrenching the workmen concerned in the reference has been granted by the Appropriate Authority which attains

finality when the same was not challenged before any Court or Tribunal by the workmen concerned in the reference.

35. The Party II has produced documents at Exh. 83 to 104 which clearly show that individual notice dated 26-06-2008 had been sent to all the workers concerned in the Order of reference giving them 3 months' Notice Pay and retrenchment compensation under Section 25-F and these documents have been admitted by the Party I and therefore, the Party I cannot claim that no notice in the prescribed form is not given to the workers individually. It is also not in dispute that the workmen have received notice pay as per Section 25-N(1). Section 25-N(1)(a) contemplates that a 3 months' notice must be given to the workmen indicating reasons for retrenchment or the workmen has been paid in lieu of such notice, wages for the period of the notice. The Party II has produced documents at Exh. 83 to 104 and has shown that the Party II has opted for paying wages for 3 months in lieu of the notice as contemplated in Section 25-N(1)(a). Therefore, the Party II does not need to give any notice in the form PA as per Rule 76-A(1) and the submission of the Party I in this regard must be therefore rejected.

36. It is to be noted here that the manufacturing of products was happening in 2 separate buildings. The FDA after inspection found that the Tablet and Capsules Department was not Schedule-M compliance and therefore directed the Party II to stop manufacturing of tablets and capsules in the building which manufactured tablets and capsules.

37. It is the objection raised by Learned Advocate Shri S. Gaonkar for the Party I that the retrenchment claimed by the Party II on the basis of the deemed permission is not justified as the FDA in its Order dated 20-06-2007 Exh.40 (produced in cross) did not force the Party I to retrench its workers nor they asked the Party II to close down the Department and the FDA merely asked Party II to comply with the statutory requirements and till that time told them not to manufacture tablets and capsules. I am not at all in agreement with these objections raised for the simple reason that as a careful perusal of Exh. 40 in its Para-2 has clearly given directions to the Party II **to stop forthwith the manufacturing of the tablets and capsule products at your above premises till further orders and to report compliance within 48 hours.** Hence, by this Order, the Party II had no option but to close the tablet production and all the witnesses examined by the Party I have clearly admitted in their cross-examination that they were offered re-employment by the Management but these workmen refused the same. The witnesses have specifically mentioned that out of them 4 workmen

accepted the offer of re-employment. The witnesses have also admitted that the Company never started manufacturing the tablet and capsule production till date.

38. The first witness has admitted in cross that they have not addressed any letter to the Company that they were forced to take up the offer of temporary employment before the Labour Commissioner. The 2nd witness has admitted that the Company engages temporary and contract workers as and when there is temporary increase in the work. He has also admitted that they were called back for the work whenever the Factory starts. The 3rd witness has admitted in cross that after the retrenchment he was given the offer of employment in the Ointment Division and further admitted that some of the workmen accepted the employment in the Ointment Division and till today they are working. He has also admitted that he did not file any complaint that the Company took opportunity to remove permanent employees and replace them with the temporary and contract employees. The 4th witness Shri Ulhas Kanekar has also admitted that the offer of re-employment was made by the Company to them and he was also offered the employment in the Ointment Department along with the other workers but he refused to accept. He has further admitted that the present Union did not file any objections to the Government on the application for retrenchment and above all none of the witnesses have produced their membership documents to show that they are the members of the said Union. All the six witnesses have admitted in cross that they were paid retrenchment compensation and all the other legal dues and the fact that some of these workmen have deliberately refused to deposit the said cheque and has returned to the Company is all together a different aspect for which the Management is not responsible. The Party II has complied with all the required provisions for pre-retrenchment and post retrenchment.

39. The allegations of unfair labour practices is not all proved by the Party I. The objections raised by Adv. Shri S. Gaonkar that the Party II has only stated that retrenchment compensation was paid and there is no proof of the same does not hold any weightage as I have mentioned above that all the witnesses of the Party I have clearly admitted of having received the retrenchment compensation and all the other legal dues and therefore the Company has no burden to produce these documents as admission is the best evidence which is a settled law. The Company has complied the provisions of 25-N of the Industrial Disputes Act, 1947 and it is also come on record by way of admission from the witnesses of the Party I that the Tablet Manufacturing Department and the

Ointment Department were located at different locations and machinery used for both is also separate.

40. Adv. Shri S. Gaonkar has placed reliance on the authority reported in the case of *Workmen v/s Subong Tea Estate* 1967 AIR 420 wherein the Apex Court has held that *"in dealing with the question of retrenchment in the light of the relevant provisions to which we have just referred, it is, however, necessary to bear in mind that the Management can retrench its employees only for proper reasons. It is undoubtedly true that it is for the Management to decide the strength of its labour force, for the number of workmen required to carry out efficiently the work involved in the industrial undertaking of any Employer must always be left to be determined by the management in its discretion, and so, occasions may arise when the number of employees may exceed the reasonable and legitimate needs of the undertaking. In such a case, if any workmen become surplus, it would be open to the Management to retrench them. Workmen may become surplus on the ground of rationalization or on the ground of economy reasonably and bona fide adopted by the Management, or of other industrial or trade reasons. In all these cases, the Management would be justified in effecting retrenchment in its labour force. Thus, though the right of the Management to effect retrenchment cannot normally be questioned, when a dispute arises before an Industrial Court in regard to the validity of any retrenchment, it would be necessary for industrial adjudication to consider whether the impugned retrenchment was justified for proper reasons. It would not be open to the Management either capriciously or without any reason at all to say that it proposes to reduce its labour force for no rhyme or reason. This position cannot be seriously disputed."*

41. The position in relation to violation of Section 25-O has been settled by the Hon'ble Supreme Court in *Oswal Agro Furane Ltd. and another V/s Oswal Agro Furane Workers Union and others* reported in (2005) 3 SCC 224. The question arose as to whether the provisions of Section 25-O of the Industrial Disputes Act is imperative in nature. After holding that the provision is held to be constitutionally valid, the Apex Court has held that *"A bare perusal of the provisions contained in Sections 25-N and 25-O of the Act leaves no manner of doubt that the Employer who intends to close down the undertaking and/or effect retrenchment of workmen working in such industrial establishment, is bound to apply for prior permission at least ninety days before the date on which the intended closure is to take place. They constitute conditions precedent for effecting a valid closure, whereas the provisions of Section 25-N of the Act*

provide for conditions precedent to retrenchment; Section 25-O speaks of procedure for closing down an undertaking. Obtaining a prior permission from the Appropriate Government, thus, must be held to be imperative in character."

42. I have perused both the above authorities in deciding the instant case and there is no dispute about the settled position of law but the facts of the present case are totally different from the above mentioned cases as in the instant case, the Party II has complied with the mandatory provisions of Section 25-N and the Party II has closed the Tablet Department in view of the Government Order and the deeming provision as discussed above and the deeming provisions under Section 25-N (4) of the Industrial Disputes Act, 1947 on account of passing of the 60 days from the filing of the application by the Party II.

43. It is noticed that the Party I has not disputed the reasons for retrenchment u/s 25-N and in fact the dispute was raised in respect of violation of Section 25-H and not u/s 25-N. Section 25-H of the Industrial Disputes Act, 1947 refers to re-employment to be mandatorily offered in case the need for recruiting workers arises and not fresh or temporary employment as offered to the workers and in the present case, the Company offered the employment to all the aggrieved workers and offering the workmen the employment in the present reference of temporary employment has been complied by the Party II. (Para 61 of Exh.105) and moreover, the question of violation of Section 25-H does not arise as the Party II offered in writing to engage the 7 workmen for the work available of unskilled workers on temporary basis as per the requirement of the Factory.

44. There is nothing on record to show that the Party II has employed any new workmen on permanent basis as there is no documentary evidence produced to that effect by the Party I. In fact, the witnesses of the Party I are not aware of any details about the employment given to the new employees and the engagement of temporary workers by the Party II is fully within the provisions of law. The witnesses of Party I themselves have admitted in cross that the Company used to engage the temporary workers depending on the production basis and the retrenchment of the permanent workers in the Tablet and Capsule Division was only due to the closure directions received from the FDA.

45. It is also come on record that all the workmen concerned in the reference were retrenched at the relevant time while they were working in the Tablet and Capsule Division and all the witnesses have

admitted that they were working in the Tablet and Capsule Department at the time of retrenchment. The witnesses are also aware as to why the Tablet Department was closed down and they are also conversant with the necessary steps and correspondences which took place at that time.

46. The Party II has never claimed that the 2 Departments were not under one license. It is submitted that having one license for both the divisions does not disprove the existence of two separate divisions. The Party II submits that many departments can exist under one license, therefore the argument of the Party I that the Management is estopped from contending that 2 departments are different and distinct, is flawed and shows non-application of mind and based on incorrect understanding of the statements made by the Party I. It is a specifically admitted position by all the workmen concerned in the Order of Reference that workmen which were retrenched at the relevant time were working in the Tablet and Capsule Division which was not Schedule-M compliant and the documentary proof would be needed for propositions which are in dispute. Since all the workmen have admitted that they were working in the Tablet and Capsule Division at the time of retrenchment, the same does not need to be proved.

47. It is seen that the Party I has never put forth the case that the Party II has violated Section 25-O of the Industrial Disputes Act. This argument is taken for the first time in Written Arguments and the provisions of Section 25-N(4) and Section 25-O(3) are in the parimateria being that rigors of the application under Section 25-N are in fact more stringent. The Party II having complied with Section 25-N for retrenchment of workmen does not need to apply for permission under Section 25-O and the submission of the Party I that the Party II was duty bound to take permission u/s 25-O is flawed and is not based on the correct interpretation and appreciation of provisions of Section 25-N and Section 25-O.

48. Admittedly, the Party II had applied and was granted deemed permission for retrenchment and it seems that the Party I was trying to take benefit of the Party II's defense instead of its own pleadings. It is submitted that the Party I had to prove its case on their pleadings and couldn't take benefit of the weakness of the Party II's case. In any case, the Party II has not closed the Ointment Division which is based on the same license, therefore the Party II has correctly applied for permission for retrenchment under Section 25-N and has never intended to close the Bethora Factory, therefore the permission for the retrenchment was applied for only the Tablet and Capsule Division which was shut as per directions of FDA.

49. Since it is seen that the Party I has failed in proving the burden of Issue No.1 then automatically Issue No. 2 also needs to be answered in the negative because the retrenchment is totally justified, therefore the question of re-instatement of the Party I with full back wages with continuity in the service along with other consequential benefits does not arise.

50. Further it is seen that the Company had offered employment as temporary workmen and they were employed as unskilled workers as that was the only job with the Company which fact is also admitted by the witness of the Party I and even otherwise the Company is not entitled to offer employment as they have complied with Sections 25-G and 25-H of the Industrial Disputes Act, 1947. The Company by letter dated 04-11-2014 Exh. 28 replied to letter dated 13-10-2014 that the workmen were employed as in unskilled category and they did not want to join either House-keeping or Security Department, therefore they were made to join temporarily in unskilled category. Further it is seen that the demand of the Union is itself bad in law and since the reference has been arising out of this demand of the union which can be seen from letter dated 23-05-2016 at Exh. 30 which demand has not been raised before the Management, the entire demand itself is bad in law and not being an industrial dispute out to be rejected.

51. Further, it is seen that though the dispute has been raised by the Union before the Assistant Labour Commissioner, there was no demand raised before the Management prior to that or thereafter and since no demand has been raised before the Management, the alleged dispute raised before the Assistant Labour Commissioner prior to that by the Union is itself bad in law.

52. The Party II examined Shri Eurico Noronha who was working with the Party II from April, 2008 to March, 2019 as Vice President, Human Resources and working as Advisor, Human Resources. He is conversant with the facts of the case and his cross-examination could not be disturbed on any ground. He has precisely stated in cross that the Company is manufacturing ointment and apart from manufacturing ointment there is no other manufacturing activity as of date. The documents produced by him are from Exh. 83 to Exh. 104 and the next witness examined by the Company is Shri Ajit Shinkre working as an Asst. Manager and then as Production Manager for the Party II. He is also conversant with the facts of the present case and the documents produced by him are from Exh. 69 to Exh. 73 Colly. He has admitted in cross that they have

re-employed some of the workmen in the reference in unskilled category and no permanent workmen are working in Stores and all the permanent workers are working in the Production Department. He has also produced the list of permanent workmen working in the Production Department which is at Exh. 74. He has produced the ESI Returns from July, 2019 to December, 2019 which is at Exh. 76 Colly and PF Returns from July, 2019 to December, 2019 at Exh. 77 Colly (produced in cross). He precisely states further that as per Clause-5 of Exh. 78 the workman is liable to be transferred from one department to another. He has also stated in cross that they had asked the retrenched workers to work on the Machine even very recently and they have even employed 40 to 50 temporary workers whenever there was production. He has admitted in cross that they had obtained permission from the Appropriate Authority before retrenchment of the workers and the Appropriate Authority had granted permission within 60 days and after a period of eight months the Appropriate Authority rejected the permission and further added and stated that the Hon'ble High Court had quashed the Rejection Order of the Appropriate Authority in the year 2014.

53. It is seen that the Party II has complied with all the mandatory conditions preceding to a valid retrenchment i.e. there is compliance of Section 25-N wherein the Employer has to decide and identify to retrench the workmen in various categories and departments of their establishments and the Employer is required to make an application to obtain the permission of the Appropriate Government i.e. the notice for permission for retrenchment to be given by an Employer under Section 25-N(b)(i) of the said Act and once the application is made for permission, the Employer should wait till the permission is given or period of 60 days from the date of making such application has expired when the permission will be deemed to have been granted and apart from giving such a notice, the wages in lieu of the notice, the Employer is also required by sub-section 9 to pay compensation to the workman who is proposed to be retrenched and as far as giving of notice to a workman is concerned, such notice has been already given to retrench them at any time, before or after obtaining the permission or retrench them forthwith on obtaining the permission by giving three months' wages in lieu of the notice. All these requirements are duly complied by the Party II.

54. In the Judgment passed in the **Indian Hume Pipe Company v/s Bhimarao Baliram Gajbhiya dated 07-07-1965**, it is clearly stated that

"re-employment cannot be on same terms and conditions if vacancies are not available". No evidence has been come on record that there were vacancies of Operators wherein employees were employed. Since vacancies were of temporary nature, they were employed. Further it is pertinent to note that these workers were offered employment and they had refused the employment. The Order of Reference is limited order and does not talk about Section 25-H and the dispute earlier raised was closed. In view of the above, nothing survives in the matter and the reference ought to be rejected.

55. The ratio applied in the above case gets squarely attracted to the facts of the present case and hence, in view of the above reasons, Issue No. 1 and 2 are answered in the negative.

Issue No. 3:

56. The above reference is not maintainable as the action of Party II in retrenching the workmen from services w.e.f. 03-07-2008 is legal, justified and has been done by following and complying the relevant provisions relating to retrenchment of the industrial Disputes Act and as such the Party I is not entitled for any relief of re-instatement with full back wages and with continuity in the services nor they are entitled for any consequential benefits. The workmen after the retrenchment have already been paid the retrenchment compensation and the legal dues which is admitted by them in their evidence.

57. While retrenching the workmen, the Party II has followed the required provisions of Section 25-N of the Act and if one goes through Exh. 42 to 52 it is seen that the closure was also legal and the retrenchment was done due to legal and justified reasons. The Party II was having two divisions, one Tablet Division and the other was Ointment Division. All the workmen employed in the Tablet Division were retrenched and the Party II is running only one division i.e. the Ointment Division which is not in dispute that the Company even today is running only Ointment Division and the Tablet Department has been shut down due to non-compliance of Schedule-M.

58. The Government also while acting under Section 25-N(4) has accepted that retrenchment is legal and justified and therefore reference itself is bad in law and on that ground itself the reference ought to be rejected and also because there is a delay in making the reference which is dated 07-05-2017. The Company had filed Writ Petition bearing No. WP/557/2008 challenging the Order of the Labour Minister dated 02-06-2008 and the Hon'ble High Court had dismissed the Impugned Order dated 02-06-2008 by its Order dated 17-09-2014 clearly holding that the Impugned order dated 02-06-2008

passed by the Appropriate Authority u/s 25-N of the Industrial Disputes Act, 1947 is quashed and set aside.

59. Even otherwise it is seen that the Party I has not raised any Demand Notice on the Party II prior to the notice received by the Management from the Asst. Labour Commissioner and as the Party I has not raised the dispute before the Labour Commissioner stating that the Party II has violated the provisions of Section 25 of the Industrial Disputes Act, they are estopped from raising a dispute for not raising the demand with the Management. In fact, the dispute raised before the Labour Commissioner/Exh. 30 only mentions that the Party II had retrenched 7 workers in violation of Section 25-F and Section 25-H of the Industrial Disputes Act, 1947. The ratio held in the case of Sindhu Resettlement V/s Industrial Tribunal as discussed above, gets squarely attracted to the facts of the present case. Hence, in view of the above reasons, Issue No. 3 stands answered in the affirmative.

60. Hence, in view of the above reasons and guided by the above authority, it is abundantly clear that Party I has failed to establish its case and accordingly, they are not entitled to any relief.

Accordingly, I pass the following Order:

ORDER

1. The action of the Management of M/s Indi Pharma Private Limited, Plot No. 2-9, Bethora Industrial Estate, Bethora, Goa in retrenching the seven workmen mentioned in the Order of Reference with effect from 03-07-2008, is legal and justified.
2. The Party I/Workmen are not entitled for any relief.
3. No order as to cost.
4. Inform the Government accordingly.

Sd/-

(Bela N. Naik)
Presiding Officer,
Industrial Tribunal and
Labour Court.



Department of Law & Judiciary
Law (Establishment) Division

Order

No. 8/8/2018-LD(Estt.)/Part-I/1631

The Government of Goa through Law Department and Registration Department has implemented

Online Marriage Registration System from 16-11-2022. It has been an endeavor of the Government to ensure minimum Government and maximum Governance to facilitate its citizens and strengthen the case of living of its citizens.

In this context, the Marriage Registration System is now improvised and the concept of digitally signed marriage certificate with QR Code is hereby introduced for Online Marriage Registration System. The marriage certificate with watermark of Government of Goa, signed digitally by Civil Registrar-cum-Sub-Registrar of the respective jurisdiction shall be considered authentic and the only type of certificate issued by the office of Civil Registrars-cum-Sub-Registrars. In order to ensure security and for authentication of the said marriage certificate, the citizens and the concerned authorities before whom these certificates would be produced are enabled to verify the same by scanning the QR Code which is printed on the marriage certificates. Further the said certificate can be verified from the Department's Website: <https://registration.goa.gov.in> and Goa Government Portal.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 12th October, 2022.

Notification

No. 14-18-2022-LD (Estt.)1637

The following Notification No. Rule/P.1616/2022 dated 23-09-2022 which has been issued by the High Court of Judicature at Bombay, is hereby published for general information of the public.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 12th October, 2022.

No. Rule/P.1616/2022

High Court of Judicature at Bombay Appellate Side

Notification

In exercise of the powers conferred by Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and in partial modification of the earlier Notification No. Rule/P.1616/2019 dated 06th June,

2019 regarding constitution of "The Gender Sensitization Internal Complaints Committee" to deal with the complaints if any, of Sexual Harassment of any woman at work place, the Hon'ble the Chief Justice is pleased to re-constitute "The Gender Sensitization Internal Complaints Committee" for the High Court of Bombay, at Goa as under:-

Name of the workplace	The Gender Sensitization Internal Complaints Committee
1	2
High Court of Bombay, at Goa	: 1. Hon'ble Smt. Justice Anuja Prabhudessai, Presiding Officer. 2. Hon'ble Shri Justice B. P. Deshpande, Member. 3. Smt. Anarkali Agni, Senior Advocate, Member. 4. Smt. Carmina Mascarenhas, Member. 5. Ms. Vijaya V. Ambre, Member Secretary, GSLSA, Member. 6. Ms. Apurva R. Nagvenkar, Deputy Registrar, High Court of Bombay at Goa, Member. 7. Ms. Susan Linahres, Advocate, Member. 8. Mrs. Norma Alvares, Advocate, Member. 9. Mrs. Geeta P. Naik, Assistant, High Court of Bombay at Goa, Member.

High Court of Judicature at Bombay

Dated: 23rd September, 2022.

Sd/-
(MAHENDRA W. CHANDWANI),
Registrar General.

Department of Personnel

Order

No. 6/10/2017-PER/Part/3303

On the recommendation of the Goa Services Board, the Governor of Goa is pleased to order the transfer and posting of the following Senior Scale Officers of

Goa Civil Service, in public interest, with immediate effect:-

Sr. No.	Name and present posting of the officer	Posted as
1.	Shri Deepesh N. Priolkar, Member Secretary, Goa Football Development Council	Director (Administration), Sports Authority of Goa will additional charge of Member Secretary, Goa Football Development Council.
2.	Shri Manuel P. Barreto, Chief Executive Officer, South Goa Zilla Panchayat	Chief Officer, Margao Municipal Council.
3.	Shri Meghanath Porob, awaiting posting	Secretary, Goa Konkani Academy.
4.	Smt. Upasana Mazgaonkar, Director, Institute of Provedoria	Director of Museum.
5.	Shri Shankar Gaonkar, Director (Administration), Sports Authority of Goa	Director (Administration), Water Resources Department.
6.	Ms. Biju Naik, Director (Administration), Water Resources Department	Secretary, Goa Human Rights Commission.
7.	Smt. Sangeeta S. Naik, Additional Collector-III, North Goa	Additional Director Panchayat-II, South.
8.	Shri Pravin M. S. Barad, Secretary, Goa Konkani Academy with additional charge of Project Director, DRDA, South	Project Director, DRDA, South.
9.	Shri Rohit Ashok Kadam, Chief Officer, Margao Municipal Council	Chief Executive Officer, South Goa Zilla Panchayat.
10.	Smt. Florina S. Colaco, Additional Director of Panchayat-II, South	Chief Executive Officer, North Goa Zilla Panchayat.
11.	Shri Gaurish Shankhwalkar, Chief Executive Officer, North Goa Zilla Panchayat with additional charge of Joint Secretary to Governor	Joint Secretary to Governor.
12.	Shri Pundalik Khorjuenkar, Director of Museum	Additional Collector-III, North Goa.
13.	Shri Vinayak Volvoikar, Additional Director of Vigilance-II	Director, Institute of Provedoria.

Shri V. P. Dangui, Additional Secretary to Chief Minister shall also hold the charge of Additional Secretary (Administrative Reforms), in addition to his own duties.

Smt. Maya Pednekar, Additional Director of Vigilance-I shall also hold the charge of Additional Director of Vigilance-II, in addition to her own duties.

The officers appointed on ex-cadre deputation post shall be governed by the standard terms of deputation.

The officers shall complete handing over and taking over process with immediate effect and submit compliance.

By order and in the name of the Governor of Goa.

Nathine S. Araujo, Under Secretary (Personnel-II).

Porvorim, 30th September, 2022.

Department of Planning
Directorate of Planning, Statistics & Evaluation

Notification (01)

No. DPSE/IV-AGRI CEN-4/2022-23/2115

Consequent upon the decision of the Government of India, Ministry of Agriculture and Farmers Welfare's decision to conduct the 11th Agriculture Census (Ref. year 2021-22) in the Country and as recommended in the Operational Guidelines for implementing Agriculture Census 2021-22, Government of Goa is pleased to designate the following Officers for the effective and smooth conduct of the 11th Agriculture Census 2021-22 which is being conducted in Goa State during the year 2022-23 as follows:

1. Secretary (Agriculture) : Agriculture Census Commissioner.
2. Director of Planning, : Deputy Agriculture Statistics & Evaluation, Census Porvorim Commissioner.
3. District Collector, : District Agriculture North Goa Census Officer, North Goa District (DACO).
4. District Collector, : District Agriculture South Goa Census Officer, South Goa District (DACO).
5. Mamlatdars of Tiswadi, : Taluka Level Charge Bardez, Pernem, Bicholim, Officers (TLCO). Sattari, Salcete, Mormugao, Quepem, Sanguem, Canacona, Dharbandora and Ponda

Duties/Responsibilities

1. Agriculture Census Commissioner will be the overall in-charge of the Census in Goa State.

2. Deputy Agriculture Census Commissioner will assist Agriculture Census Commissioner in all respects, related to the census.

3. District Agriculture Census Officers (DACO) will be the overall in-charge of respective District and Talukas therein. They will guide and monitor the duties of Mamlatdars in appointing enumerators from amongst Group B (Non-Gazetted) and Group C Officials from various Departments. In the absence of Mamlatdar, the Joint Mamlatdar will act as the link Officer in concerned talukas.

4. Taluka Level Charge Officers i.e. Mamlatdars of every taluka shall be fully responsible for smooth implementation of the Agriculture Census 2021-22. The responsibilities of Taluka Level Charge

Officers/Mamlatdars include identification of the field level staff namely Enumerators/Field Interviewers and Supervisors in appropriate numbers so as to cover the complete area under their respective jurisdiction. The Taluka Level Charge Officers/Mamlatdars shall finalize the training plans and make necessary arrangements for the training programme at suitable places in the respective talukas. The Taluka Level Charge Officers/Mamlatdars shall require to requisition the services of Group B (Non-Gazetted) and Group C Officials from amongst the Goa Government Departments/Corporations/Agencies. The Taluka Level Charge Officers/Mamlatdars while performing these duties shall approach the concerned Collector/District Agriculture Census Officer for any administrative issues as regards to conduct of the Census.

By order and in the name of the Governor of Goa.

Vijay B. Saxena, Director & ex officio Joint Secretary (Planning).

Porvorim, October, 2022.

Notification (02)

No. DPSE/IV-AGRI CEN-4/2022-23/2116

Consequent upon the decision of the Government of India, Ministry of Agriculture and Farmers Welfare's decision to conduct the 11th Agriculture Census (Ref. year 2021-22) in the Country and as recommended in the Operational Guidelines for implementing Agriculture Census 2021-22, the Government of Goa is pleased to constitute a State Level Coordination Committee (SLCC) comprising of following Officers for the smooth and timely conduct of the 11th Agriculture Census in Goa during the year 2022-23:

- | | |
|--|---------------------|
| 1. Secretary (Agriculture) | — Chairman. |
| 2. District Collector, North Goa | — Member. |
| 3. District Collector, South Goa | — Member. |
| 4. Director, Directorate of Agriculture | — Member. |
| 5. Director, Directorate of Settlement and Land Records | — Member. |
| 6. State Informatics Officer, NIC, Goa | — Member. |
| 7. Representative of Ministry of Agriculture & Farmers Welfare, Government of India, New Delhi | — Member. |
| 8. Director of Planning, Statistics & Evaluation, Porvorim | — Member Secretary. |

The Committee shall be responsible for all aspects related to the smooth and orderly conduct of the Census including monitoring the progress of the fieldwork and resolution of operational challenges if any.

The Committee shall meet atleast once in three months to review the progress of the Census work.

By order and in the name of the Governor of Goa.

Vijay B. Saxena, Director & ex officio Joint Secretary (Planning).

Porvorim, October, 2022.

Notification (03)

No. DPSE/IV-AGRI CEN-4/2022-23/2117

Consequent upon the decision of the Government of India, Ministry of Agriculture and Farmers Welfare's decision to conduct the 11th Agriculture Census (Ref. year 2021-22) in the Country and as recommended in the Operational Guidelines for implementing Agriculture Census, 2021-22, the Government of Goa is pleased to constitute District Level Co-ordination Committees (DLCC) comprising of following Officers for the smooth and timely conduct of the 11th Agriculture Census in Goa during the year 2022-23:

North Goa District

1. District Collector, North Goa : Chairman.
2. Deputy Collector, North Goa : Member.
3. Mamlatdars, North Goa : Members.
4. Zonal Agricultural Officers, North Goa : Members.
5. Dy. Director, Directorate of Planning, Statistics & Evaluation, Porvorim : Member Secretary.

South Goa District

1. District Collector, South Goa : Chairman.
2. Deputy Collector, South Goa : Member.
3. Mamlatdars, South Goa : Members.
4. Zonal Agricultural Officers, South Goa : Members.
5. Dy. Director, Directorate of Planning, Statistics & Evaluation, Porvorim : Member Secretary.

The Committee shall meet atleast once in a month to monitor and review the progress of the fieldwork and shall be responsible to sort out all issues concerning identification and appointment of staff to carry out field duties and submit its report to the

Agriculture Census Commissioner and Deputy Agriculture Census Commissioner.

By order and in the name of the Governor of Goa.

Vijay B. Saxena, Director & ex officio Joint Secretary (Planning).

Porvorim, October, 2022.

Department of Public Health

Order

No. 7/6/90-I/PHD/Part/1203

Read: Memorandum No. 7/6/90-I/PHD/Part/1009 dated 27-06-2022.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/1/5/24(8)/2021/97 dated 27-06-2022, Government is pleased to appoint Dr. Ashwin Albert Dsouza to the post of Junior Ophthalmic Surgeon (Group "A" Gazetted) under Directorate of Health Services in the Level 10 of Pay Matrix [Pay Band-3 Rs. 15600-39100 + Grade Pay Rs. 5400/- (pre-revised)].

Dr. Ashwin Albert Dsouza shall be on probation for a period of two years.

Dr. Ashwin Albert Dsouza has been declared medically fit by the Medical Board and that the character and antecedents has been verified by the District Magistrate, North Goa, Panaji vide letter No. 2/11/2016-MAG/VCA/Vol.II/2252 dated 26-08-2022 and it is revealed that there is nothing adverse reported against him.

Consequent upon his appointment, the above doctor is posted at Community Health Centre, Pernem against newly created post and deployed to work at Community Health Centre, Sankhali and once a week at Community Health Centre, Pernem.

By order and in the name of the Governor of Goa.

Gautami Parmekar, Under Secretary (Health-II).

Porvorim, 10th October, 2022.

Department of Science and Technology and Waste Management

Notification

No. 5-4-2021/S&T&WM/781

Whereas, vide Proclamation No. 5-4-2021/S&T&WM/250 dated 10-06-2022, published in the Official Gazette, Series II No. 11 dated

16-06-2022 and local newspapers viz. "O Heraldo" dated 11-06-2022 and "Bhangarbhui" dated 11-06-2022 (hereinafter called the "said Proclamation"), the Government of Goa proposed to:

- a) declare the area as specified in the Schedule hereto (hereinafter referred to as the "said area") as Waste Management area/site for the purpose of establishing facilities for waste management and waste disposal in terms of Clause (a) of sub-section (1) of Section 36 of the Goa Waste Management Act, 2016 (Goa Act 19 of 2016) (hereinafter referred to as the "said Act");
- b) appoint Assistant Accounts Officer of the Goa Waste Management Corporation (hereinafter called as "said Officer") for the purpose of the assessment and recovery of taxes as per the provisions of law as in force in the said area in terms of Clause (b) of sub-section (1) of Section 36 of the said Act;
- c) declare that the provisions of any law relating to local authorities providing for control and erection of building, levy and collection of taxes, fees and other dues to the local authorities which are in force in said area shall cease to apply thereof and the local authorities which were recovering house tax from the occupants, of the said area, under their respective laws, shall be compensated by the Government to the extent of the last financial years collection of taxes, for period of five years in terms of Clause (c) of sub-section (1) of Section 36 of the said Act;
- d) authorize the said Officer to exercise all powers such as, control or erection of buildings, levy and collection of taxes, fees and other dues in respect of the said local authorities, which are in force in the said area. All such taxes, fees and other dues shall be deposited with the Goa Waste Management Corporation immediately, by the said officer, after such collection is done (hereinafter collectively called the "said proposals") and invited all persons, who have any objections to the said proposals to submit the same in writing with reasons therefor, to the Director, Department of Science and Technology and Waste Management, Porvorim-Goa, within one month from the date of publication of said proclamation in the Official Gazette.

And whereas, the said Official Gazette was made available to the public on 16-06-2022;

And whereas, objection received from the public on the said proposals have been duly considered and examined by the Government and in view of various orders passed by the Hon'ble High Court of Bombay at Goa and National Green Tribunal in the various writ petitions/proceedings, the Government of Goa is of the opinion that the said objections are not tenable.

And whereas, Government, after duly considering and examining the said objections, have seen that the same are similar to the objections that were raised during public hearing held on 28-07-2019 at Village Panchayat Old Goa hall, Old Goa at the time of grant of Environmental Clearance for the proposed projects, for which satisfactory replies were provided by the Government.

And whereas, the Goa State Environment Impact Assessment Authority has granted Environment Clearance dated 06-01-2020. And whereas, the said Environmental Clearance dated 06-01-2020 has been upheld by the Hon'ble National Green Tribunal in O.A No. 14/2020(WZ).

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 36 of the said Act, the Government of Goa hereby:

- (a) declares that the area as specified in the Schedule hereto as Waste Management area/site for the purpose of establishing facilities for waste management and waste disposal;
- (b) declares that the provisions of any law relating to local authorities providing for control and erection of buildings, levy and collection of taxes, fees and other dues to the local authorities which are in force in said area shall cease to apply thereof and the local authorities which were recovering house tax from the occupants of the said areas, under their respective laws shall be compensated by the Government to the extent of the last financial years collection of taxes, for period of five years;
- (c) appoints Assistant Accounts Officer of the Goa Waste Management Corporation for the purpose of the assessment and recovery of taxes as per the provisions of law as in force in the said area; and
- (d) authorizes the said Officer to exercise all powers such as, control or erection of buildings, levy and collection of taxes, fees and other dues, in respect of said local authorities, which are in force in the said area and also directs that all such taxes, fees and

other dues shall be deposited with the Goa Waste Management Corporation, immediately, by the said Officer, after such collection is done.

SCHEDULE

(a) Area: 1,71,312 sq.m.

(b) Village: Bainguinim.

(c) Taluka: Tiswadi.

(d) Survey No.: 20/1-I, 20/2-A and 20/3-A-1 [Old Survey No. 20/1(P), 20/2(P) & 20/3-A(P)].

(e) Boundaries

North: Survey No. 21/2, 20/1-J, 20/1-K.

South: Village Boundary of Gouli Moula.

East: Survey No. 19/1(P).

West: Survey No. 20/3-A(P), 20/3-B(P).

By order and in the name of the Governor of Goa.

Dr. *Levinson J. Martins*, Director (S&T & WM) & ex officio Jt. Secretary.

Porvorim, 14th October, 2022.

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Directorate of Skill Development & Entrepreneurship

Order

No. 10/75/TRG/SDCT/F-1/2014/1952

Sub.: Re-constitution of Governing Council of SCVT Society of Goa.

The State Government has constituted State Council of Vocational Training (SCVT) Society of Goa, a society registered under Societies Registration Act, 1860 on 1st August, 2018 bearing Registered No. 313/GOA/2018 for purpose of implementation of various Skill Development Schemes in line with guidelines issued by Ministry of Skill Development & Entrepreneurship (MSDE), Government of India.

The Governing Council of State Council of Vocational Training (SCVT) Society of Goa is hereby re-constituted as under:-

Sr. No.	Particulars of Governing Council	Designation on Governing Council under SCVT Society
1	2	3
1.	Secretary (SD&E), Government of Goa	Chairman.
2.	Director (SD&E), Directorate of Skill Development & Entrepreneurship	Member Secretary.
3.	The Senior Manager (HR), Goa Shipyard Ltd., Vasco-Goa	Member.
4.	The Secretary, Mormugao Port Trust, Vasco-Goa	Member.
5.	Regional Director, Regional Directorate of Skill Development & Entrepreneurship (RDSDE), DGT, MSDE, Government of India, Sion-Mumbai or his representative	Member.
6.	The Principal, Farmagudi Government ITI	Member.
7.	The Principal, Sesa Private ITI, Sankhali-Goa	Member.
8.	The Director, State Council of Educational Research and Training (SCERT), Porvorim-Goa or his representative	Member.
9.	The Director, Directorate of Education or his representative	Member.
10.	The State General Secretary, Bharatiya Mazdoor Sangh (BMS), Goa Pradesh, Vaddem, Vasco-Goa	Member.
11.	The Regional Manager (Engineering), Goa Industrial Development Corporation, EDC Complex, Patto, Panaji-Goa	Member.
12.	Dy. General Manager, Goa Tourism Development Corporation (GTDC), Panaji-Goa	Member.

The Governing Council of State Council of Vocational Training (SCVT) Society of Goa shall be governed by the extant 'Memorandum of Association' and 'Rules and Regulations' of the SCVT Society of Goa.

The term of re-constituted Governing Council of State Council of Vocational Training (SCVT) Society of Goa shall be for period of three (03) years from date of re-constitution.

As per the Clause 10.5 of the 'Rules and Regulations' of the State Council of Vocational Training (SCVT) Society of Goa, no member of the Governing Council in that capacity be entitled to receive remuneration except travel allowance for attending the meeting, the quantum of which shall be fixed from time to time by the Governing Council with the approval of SCVT Society of Goa.

The Governing Council of State Council of Vocational Training (SCVT) Society of Goa shall meet as and when required or once in three months.

This issues with the approval of Competent Authority.

By order and in the name of the Governor of Goa.

Dipak Desai, Director (Skill Development & Entrepreneurship) & ex officio Additional Secretary.

Panaji, 4th October, 2022.

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Department of Tribal Welfare
Directorate of Tribal Welfare

Order

No. DTW/AD(N)/ECSC/2020-21/CSS-127/3333

Government is pleased to constitute the Steering Committee under the Chairmanship of the Secretary, Tribal Welfare for the development of content for the Tribal Museum of Freedom Fighters of Tribal Communities at Ponda.

The Steering Committee shall consist of the following members, namely:-

- | | |
|--|-------------|
| 1. Secretary, Tribal Welfare | — Chairman. |
| 2. Director, Tribal Welfare | — Member. |
| 3. Dr. Arvind N. Haldankar,
Programme Director
(Sociology), Goa University | — Member. |

- | | |
|---|------------------------|
| 4. Dr. Nalini Naik, Assistant
Professor (History),
Goa University | — Member. |
| 5. Shri Balaji Shenvy, Archivist
(Publication), Directorate
of Archives & Archaeology | — Member. |
| 6. Dr. Subodh Kerkar,
Artist & Curator,
Museum of Goa | — Member. |
| 7. Smt. Natasha Fernandes
Curator, Museum of
Christian Art | — Member. |
| 8. Dr. Priyanka Velip, Assistant
Professor, Sociology,
Government College of
Arts, Science and Commerce,
Quepem-Goa | — Member. |
| 9. Shri Devidas Goankar, Writer | — Member. |
| 10. Director, Tribal Research
Institute | — Member
Secretary. |

The function of the Steering Committee will be as follows:

1. To plan and assist in the development of content for the Museum.
2. To collect the data and document the details of the tribal freedom fighters of Goa and tribal revolts in Goa.
3. To develop story line for the Museum.
4. To give suggestions for designing the civil structure of the Museum for the DPR in view of the development of content, curation, galleries, collection of artifacts jewellery, textiles, traditional games, etc.

This order is issued with the approval of the Government.

By order and in the name of the Governor of Goa.

Triveni Velip, Director (Tribal Welfare).

Panaji, 12th October, 2022.

www.goaprintingpress.gov.in

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